The New-York Times.

VOL. XXIV.....NO. 7272. NEW-YORK, WEDNESDAY, JANUARY 6, 1875.—WITH SUPPLEMENT. PRICE FOUR CENTS.

THE LOUISIANA DIFFICULTY.

VIEW OF THE SITUATION AMONG REPUBLICANS IN WASHINGTON.

THE MEMBERS OF THE LEGISLATURE CERTIFIED BY THE RETURNING BOARD THE ONLY LEGAL BODY—ALL OTHERS INTRUDERS — ACTION BY CONGRESS DEEMED IMPERATIVE.

Special Dispatch to the New-York Times.

WASHINGTON, Jan. 5.—The information received by the Government from Louisiana is substantially the same as that telegraphed to the press, except in one or two particulars. The statement in the press dispatches that United States soldiers forcibly ejected from their seats in the legislative hall those persons who had no certificates from the Returning Board, is not corroborated, but on the contrary it is claimed that these members left at the invitation of the military, without any forcible means being employed. It is also believed that the press dispatches which represented De Trobriand as acting under the orders of Gov. Kellogg, are not correct. Of course, it makes little difference, in point of fact, whether the claimants to the seats in the Legislature vacated them at the request of the military authorities, or whether they were forcibly ejected, since in either case the Federal power was used against them. The ejectment is justified, and would be approved even though physical force were employed. The members of the Legislature who had certificates from the Returning Board, were the only persons regarded as entitled to be within the bar of the House, and claimants to the seats had no more right to be there than any similar number of men from the mass of citizens outside. The House, which was organized by the Republicans, according to the information received here, contained a quorum of all those who had certificates from the Returning Board, and is, therefore, a legal legislative body. The operations of the Federal authorities are held to be legal by Republicans generally. If the question is asked whether the Government and leading Republicans are satisfied with this condition of affairs, and whether they view the situation with any exultation, it is correct to answer emphatically in the negative. Those who have sustained the course of the Government most thoroughly in its endeavors to maintain the Kellogg Government, and who believe in the legality of Kellogg's election, and who hate the White League are tired out with the continuous failures to secure the desired fruits of interference. Kellogg has failed to take advantage of the aid that has been extended to him, and his Government is weaker to-day than ever before. Instead of peace being conserved by the Federal action, disturbances and violence have been continually engendered, and the White League and "Conservative" elements laugh at the Kellogg Government, decline to recognize any authority existing in the State except the Federal authority, and wherever this is exhibited they resist it to that extent which shows that their obedience is enforced of necessity. It is felt that the time has come when Congressional action is indispensable to a permanent settlement of the Louisiana imbroglio. Congress must take the case in hand, and must either say that no Government exists in the State and order a new election, and provide the means by which it can be properly conducted, or must declare that the Kellogg Government is a valid Government, and the President must have the authority of Congress in sustaining it. The subject is uppermost in private conversation everywhere, and causes great anxiety to those most directly responsible for the action. There is a feeling that the truth is not all known, and that judgment must wait a little longer for facts.

OUTLINE OF THE DEBATE IN THE SENATE.

Since the discussion on the sale of arms to France, during the Franco-German war, there has been no more interesting debate in the Senate, and no more warmth and general excitement, than that to-day upon the resolution of Senator Thurman in reference to the employment of United States troops in New-Orleans. A suggestion from Mr. Conkling, that in accordance with the usage of the Senate, the words "if not incompatible with the public interests" be incorporated in the resolution precipitated the discussion, in which Louisiana affairs were canvassed. Mr. Thurman denied that the introduction of the words suggested had been the custom of the Senate. He contended that they were employed only in cases where the subject of inquiry related to foreign affairs. Mr. Conkling contended this was a case in which the judgment of the President should be exercised in relation to the time and manner of furnishing the information. The circumstances surrounding the case were those of grave peril, and at this moment law and order may be trampled under foot in the streets of New-Orleans. From this point forward the debate assumed a partisan character, and many of the utterances were announciated with an emphasis and bitterness indicative of the depth of feeling on the subject. Senator Thurman replied to Mr. Conkling with warmth, charging unwarranted and unconstitutional interference with the organization of a State Legislature. He referred to the Legislature of Ohio, during the Administration of President Van Buren, when a state of affairs existed similar to that now existing in Louisiana. For two weeks all efforts to organize failed. Two Speakers and two organizations contended for the mastery, yet President Van Buren did not think of ordering the army to Columbus, and had he done so, it would not have been permitted to leave that city. He also instanced the disturbances in the Legislature of Pennsylvania during the period known as the Buck-shot war, when rival factions contended for possession of the State-house at Harrisburg. During that turbulent period the Executive did not think of attempting to determine the controversy by military force. Mr. Saulsbury spoke for Delaware, and denounced the interference of the military in the strongest language. It was not only unconstitutional but revolutionary, and the act of a tyrant. The time had not yet arrived when any ambitious Cæsar could clothe himself in purple, and, in the plenitude of power, bid defiance to the American people; and should any Cæsar attempt this, he would say in the name of God let the American people tear the robes from him. He rejoiced in the spirit that will rise in its majesty and resist such interference as that reported in Louisiana. Mr. Logan said portions of the debate reminded him of utterances heard in the Senate Chamber in times past, when the predecessors of the Democratic Senators now here were bidding defiance to the Government, and defending acts of violence and treason. Mr. Edmunds said the rights of the people about which Mr. Thurman and his colleagues talked meant the people whose rights their predecessors defended in 1861. He severely criticised Mr. Thurman for characterizing the numerous assassinations and murders in the South as "Homicides without the authority of law." Assassination and murder must cease, and every man in the South, no matter what his color or opinions, must be protected in his liberty and person at all hazards and at any cost. Mr. Morton participated in the debate with his usual earnestness, and denounced the outrage committed by the White League on unoffending colored men. He said there were to-day more men in arms against the Government throughout the South than during the years of active rebellion, and time will show what their purpose is. The debate throughout was marked by much feeling on both sides, and commanded close attention from Senators and the crowded galleries. After the adjournment of the House the members crowded the space in rear of the Senators' seats and remained until the Senate adjourned. The resolution will again come up to-morrow, when a renewal of the same character of debate is anticipated. It now seems certain that there will be no end of the discussion on this subject till Congress has given its authority to some policy for the executive power to enforce.

MEETING OF THE CABINET.

POLICY OF THE GOVERNMENT—AUTHORITY OF THE LEGISLATURE AS NOW CONSTITUTED TO BE MAINTAINED.

WASHINGTON, Jan. 5.—The Cabinet met at noon to-day and was in session until very nearly 3 o'clock, P. M. The condition of affairs in Louisiana was a subject of much discussion, though not with a view to giving any additional orders or instructions to the United States military authorities at New Orleans than have been already issued for their guidance. The Administration is well satisfied that Gen. Sheridan is in every way competent to carry out the ideas of the General Government respecting whatever part it may be thought necessary for it to take in affairs in Louisiana. These, as now understood, contemplate an indorsement of the report of the recent Returning Board, and maintaining the authority of the Legislature reported elected by that board. It was not considered necessary to send any telegrams to Gen. Sheridan, nor had any dispatches been received from that officer up to the adjournment of the Cabinet meeting this afternoon. A protest against the action of the United States troops was received by the President from Mr. Wiltz, which was read at the meeting.

GEN. SHERIDAN'S REMEDY.

HE SUGGESTS THE REMOVAL OF TERRORISM IN LOUISIANA, MISSISSIPPI, AND ARKANSAS BY THE ARREST AND TRIAL OF THE WHITE LEAGUE LEADERS.

NEW-ORLEANS, La., Jan. 5.—Gen. Sheridan has sent the following dispatch to Secretary Belknap:

HEAD-QUARTERS MILITARY DIVISION OF MISSOURI, NEW-ORLEANS, La., Jan. 5, 1874.

Hon. W. W. Belknap, Secretary of War, Washington, D. C.:

I think the terrorism now existing in Louisiana, Mississippi, and Arkansas could be entirely removed and confidence and fair dealing established, by the arrest and trial of the ring-leaders of the armed White Leagues. If Congress would pass a bill declaring them banditti, they could be tried by a Military Commission. These banditti who murdered men here on the 14th of last September, also more recently at Vicksburg, Miss., should, in justice to law and order and the peace and prosperity of this southern part of the country, be punished. It is possible that if the President would issue a proclamation declaring them banditti, no further action need be taken except that which would devolve upon me.

(Signed,) P. H. SHERIDAN,
Lieut. Gen. United States Army.

The city is very quiet to-day; no unusual demonstration in any quarter. The military still occupy the State-house.

WASHINGTON, Jan. 5.—The President, through the Secretary of War, has received Sheridan's dispatch recommending summary proceedings against the ringleaders of the armed White League, but no action has yet been taken on it.

PROTEST OF THE COTTON EXCHANGE AGAINST SHERIDAN'S DISPATCH.

NEW-ORLEANS, Jan. 5.—A full meeting of the Cotton Exchange to-day adopted the following unanimously:

Whereas, Gen. P. H. Sheridan, commanding the Military Division of the Missouri, has seen fit to address to the Honorable the Secretary of War a letter dated Jan. 4, and published in our papers of this date, in which he has given utterance to statements reacting upon the people of this State, and particularly of such as reside in this city, singularly at variance with the condition of things now and heretofore existing in this city and State, and well calculated not only to detract from our good name as law-loving and law-abiding citizens, but also to seriously injure the commercial interests of our city, the Cotton Exchange, an organization wholly disconnected from political affairs, and instituted solely for the promotion of commercial interests, feels called upon to enter a solemn protest against the allegations contained in said letter. The members of this Exchange give solemn assurance to the people of the United States, and to the friends of truth and justice, wherever found, that the allegations of Lieut. Gen. Sheridan are not only false in point of fact, but evince the spirit of the mere partisan rather than the nobility of soul which should characterize the utterances of an officer commanding the army of a great nation.

It is painfully evident that coming among us an almost entire stranger, Gen. Sheridan has limited his inquiries as to the condition of affairs here to those whose interest it is not only to falsify facts, but to promote that spirit of lawlessness with which we are falsely charged. It would not, indeed, be a matter for surprise if crimes in our midst were more frequent when it is borne in mind that the Police force, for the maintenance of which we are heavily taxed, is now and has been diverted from its legitimate duties to such an extent that large districts of our city are entirely without protection, and many of our citizens are compelled to employ private watchmen for protection against thieves and burglars.

Here follows a long string of resolutions framing a heavy indictment against the State Government, and confidently appealing to the people of the United States for justice. Resolutions of the same purport were also adopted by the Merchants' Exchange, and a meeting of Northern and Western men at the St. Charles Hotel to-night took similar action.

A PROTEST FROM M'ENERY.

HE DECLARES THE FORCIBLE INTERVENTION OF THE MILITARY SUBVERSIVE OF REPUBLICAN INSTITUTIONS.

NEW-ORLEANS, La., Jan. 5.—The following explains itself:

NEW-ORLEANS, Jan. 5, 1875.

To His Excellency U. S. Grant, President of the United States:

In the name of liberty and all lovers of liberty throughout the United States, I do most solemnly protest against the acts of the military forces of the United States on yesterday, in the occupation of the State House; in the forcible ejection by the troops of members of the Legislature, and the elected Speaker of the House, and the subsequent organization of the House by the direct and forcible intervention of the military.

I affirm before the whole American people that the action on the part of the military in this city yesterday, is subversive of the Republican institutions of this free country.

(Signed) JOHN McENERY.

THE INVESTIGATING COMMITTEE.

TESTIMONY GIVEN AS TO THE INTERFERENCE OF THE MILITARY IN THE LEGISLATURE—MORE EVIDENCE OF THE TERRORISM EXERCISED TOWARD REPUBLICANS IN THE STATE.

NEW ORLEANS, La., Jan. 5.—Before the Congressional Committee to-day Ex-Gov. Hahn testified: Am a member of the Legislature now in session. I

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ALBANY.

ORGANIZATION OF THE SENATE AND ASSEMBLY.

TAKING THE IRON-CLAD OATH — A MEMBER WHO COULD NOT DO IT—BLUNDERS OF DEMOCRATIC PARLIAMENTARY ETIQUETTE—MISCELLANEOUS NOTES.

From Our Own Correspondent.

ALBANY, Tuesday, Jan. 5, 1875.

The formal opening of the Legislature has been completed, the Governor's message submitted and read, and, as soon as the committees shall have been appointed, the legislative session of 1875 will be begun in earnest. The organization of the Assembly, and the opening of the Senate with the induction of the new officers, passed off very quietly and without any marked incidents, save perhaps some bungling of parliamentary etiquette. This the Democrats are fain to excuse on the plea that they have not had sufficient practice in the control of affairs during the past two years to keep their hands in. The formal voting on the caucus nominations was rather tedious, as was also the swearing in of the members, one incident of the latter formula creating considerable surprise and discussion. The members were called up by delegations, for the administration to them by the Secretary of State of the oaths required by the amended Constitution. When Albany County was called, the delegates presented themselves in front of the Clerk's desk, and laid their hands on the Bible. The Secretary read the old Constitutional oath, and proceeded to read the iron-clad oath as to bribery and rewards for the procurement of votes, when Peter Slingerland, one of the number, and a Republican, suddenly relaxed his hold on the book, and walked calmly back to his place, while the Secretary proceeded uninterruptedly to read the oath to the other delegates. When the surprise occasioned by his conduct had passed away, he was the subject of general remark. Many persons remarked that, having gone so far in the presence of such a body of colleagues and spectators, a less brave and scrupulous man would have completed the act, perhaps, and have endeavored subsequently to repair the damage to his conscience. I subsequently learned from Mr. Slingerland that he did as he had done because he could not take the oath without offense to his own moral nature and to the laws of the State. He had some time since filed the old oath, and under that will, of course, continue to exercise his rights as a member. A considerable number of the new members when called simply answered "here," declining to take the new oath, and it is believed that some, at least, of those who did walk up boldly and swear and subscribe under its provisions, would have acted more prudently if they had followed the example of their silent colleagues. Several members have expressed the opinion that possibly before the end of the session there may be prosecutions for perjury instituted against some of those legislators who may happen to offend some of their constituents by their official course on particular measures. Ex-Speaker Husted silenced the whispered insinuations and rumors afloat concerning what he could or could not do by taking the full oath as required. Mr. McGuire's speech on taking the chair was as follows:

GENTLEMEN OF THE ASSEMBLY: It is not affectation when I say that it is with the greatest diffidence that I accept and enter upon the performance of the duties of the position to which your partiality has assigned me. While fully appreciating the honor of presiding over the deliberations of the popular branch of the Legislature of this great State, and warmly tendering to you my grateful acknowledgment for this exhibition of your confidence and esteem, at the same time I am not unmindful of the perplexing duties, the harassing cares, and the peculiar responsibilities of the place. Untried in the capacity of presiding over a deliberative body like this, and with but limited experience in parliamentary practice or proceedings, I feel a misgiving, a distrust, a want of that intuition, tact, that quick perception, that indescribable something so indispensably necessary to a proper and successful discharge of the duties of the office. Confessing and admitting my inexperience, and it may be a lack of some of the requisite qualifications, I have no misgiving or doubt but that I can preside with the strictest impartiality, ignoring all partisanship, administering your rules with the utmost fairness, recognizing the rights of the minority, respecting the privileges of each individual member, and regarding and treating each as the peer of his fellow member. If I would not presumptuously be me to imagine that errors and mistakes will not unavoidably occur in the administration of the complicated and arduous duties of the Chair. Often will your indulgence be invoked, and when such errors proceed from the understanding and not from the intention, I realize that I can safely rely upon your magnanimity to disarm all harsh and unjust criticism. Gentlemen, we have met under peculiar and delicate circumstances, at a time when trade is struck with the blight of stagnation, when the business interests of the State are in a measure prostrated, and industries are in a state of partial paralysis; at a time when the public pulse is feverish and excited, and the eyes of the people are turned to their servants; at a time when there is a widespread and deep-rooted suspicion, if not an absolute conviction that the Government has been perverted from its true ends, aims, and purposes, that it has been administered in the interest of the few at the expense of the many; at a time when our proceedings will be by classes of our constituents closely watched, canvassed, and criticised; at a time when there is a stern and inflexible purpose being formed and maturing in the public mind to hold officers to a strict accountability for proper execution of the trust committed to them. With the argus eyes of the press upon us ready to shield from its quivering the barbed arrows of censure and condemnation if we err; with a watchful and vigilant people firmly resolving that hereafter their business, not ours, must be conscientiously performed, it behooves us to move and act with wisdom, prudence, and caution, and, above all, with honesty, fairness, and integrity, and an eye single to the public good and welfare, resisting in legislation all evil or appearance of evil. It is expected, nay, it is imperatively demanded of us, that we hold the keys of the public treasury, that we be prudent in appropriations, and economical in expenditures; that all extravagant prodigality, that all exclusively personal and selfish schemes be ignored, scouted, and condemned; that the cornerstone and fundamental principle of our action must be such legislation as shall conduce to good government and in the interests of the people at large; recognizing, respecting, and guaranteeing the rights of corporations to manage their own affairs and control their own proceedings and actions, whether such corporations be moneyed or municipal; at the same time protecting the people against overshadowing monopolies or the encroachments of large and powerful associations. Heretofore much of the time of the Legislature was consumed in personal and special legislation, and the belief was prevalent that this class of legislation was an ulcer—a canker, eating out the vitals of the body politic; that it was the source of shameless corruption and unblushing bribery; that it turned this hall into the seat of the money-changer and the abode of wrong-doing. So great was this belief, whether well or ill founded, that the people, in their sovereign capacity, at the last election inhibited such legislation and directed us to pass general laws providing for the subjects so prohibited. A great, important, and responsible duty, therefore, devolves upon us in the adaptation of statutes to the requirements of the organic law. I need not remind you that this work demands the best wisdom, judgment, care, and discretion in its performance and execution. I doubt not, gentlemen, but that you will be fully equal to the emergency, and not disappoint the expectations of those whom you serve and represent.

The majority of this body is responsible for its legislation. For a failure to execute the will of the people as recently by them unmistakably expressed, for all bad and vicious enactments you, gentlemen of the majority, must account to your constituents. Let there be no shrinking, no evading of responsibility. In view of the pledge that each of you gave when you accepted a nomination for a seat in this body, that you would be so accountable and responsible, let me entreat you to watch with more than ordinary care and vigilance to see that no improper or questionable legislation passes this body, bringing discredit upon us, and thus rendering our professions a sham and delusion. Our constant care and endeavor should be to elevate the standard of official life. It should be a high, proud, and honorable position to be a law-giver of the State of New-York. In the early days it was so considered and regarded. Can we not by the practice of economy and retrenchment, remembering that it is for the large body of the people that we legislate, and not for a favored few, exacting honesty and integrity in official life, acting only for the welfare of all and the prosperity of the State, bring back our Legislature to the high place it occupied when presided over by a Spencer, a Livingston, and our own living and honored statesman, Horatio Seymour, instead of allowing it to sink, sink, until it becomes a by-word and reproach? The majority and minority are alike interested in good laws, careful and prudent expenditures, an absence of all suspicion, or taint of suspicion, around this capital. In this respect we can exclaim, with one of the fathers of the Republic, "We are all Democrats—we are all Republicans!" In all such you will have the cordial and active sympathy of the Chair, trusting, hoping, and believing that all of our actions will tend to good government, the prosperity of the people, and the welfare of the State; that our session will be harmonious, friendly, and fraternal relations prevail, and when our labors here close we can return to our homes, each and all of us, with the approval of our respective constituents and consciousness of duty well and honestly performed.

There was considerable lack of decorum in all the proceedings, and many errors, both of parliamentary rule and etiquette. Among them may be mentioned the fact that the outgoing Clerk, Mr. O'Donnell, who was supposed to understand what long custom and official courtesy demanded, named after the election of Mr. McGuire, Messrs. Davis and Alvord as a committee to escort the Speaker elect to the chair. It is, perhaps, the first time in the history of the State that this duty has not been accorded, by courtesy, to the two rival candidates for the Speakership, who were in this instance Gen. Husted and Emerson E. Davis. Mr. Davis, it will be seen, was so chosen by Mr. O'Donnell, but Mr. Husted was ignored. The next blunder was in the failure, after organization, to appoint committees to notify the Governor and Senate of the fact, and of the readiness of the House for the transaction of business. About a dozen miscellaneous resolutions were offered and entertained before the House was called to its senses by the appearance of a Committee on Notification from the Senate, and even then four members were on their feet at one time wildly endeavoring to attract the Speaker's eye and attention.

Jeremiah McGuire is now the Speaker of the House, and Hiram Calkins, Clerk. Lyman B. Smith will be Deputy Clerk, and is well qualified by experience and ability for the position.

The Governor's message at this hour has not been read by the statesmen in and around the Capitol, and as a consequence, there are few, or I might say no, opinions current concerning it.

FORMAL ORGANIZATION OF THE SENATE.

As the Lieutenant Governor of the State is by law the presiding officer of the Senate, and as all the members, with one exception, had taken their seats before the present session, the organization of this body was merely a formal one. After the President had taken his seat, and the opening prayer had been made, the Clerk called the roll, and all the Senators but two answered to their names. The President then addressed the Senators as follows:

I appear here to enter upon the duty which the law imposes on me of presiding over the sessions of the Senate. I am without the training which legislative experience alone can give, and which most of my predecessors have had. I shall, therefore, need your indulgence and assistance, in return for which I assure you that I shall endeavor to do my duties without partiality or prejudice. Inasmuch as it is only under special and unfrequent circumstances that I am called upon to take part in your action, it would not be suitable for me to discuss any of the matters which are likely to engage your attention; but I will venture to express the hope, which I am confident will be fully realized, that your labors may meet with the approval of your several constituencies.

Senator Bradley then moved that Senator Lanning, who had taken the old oath, be also allowed to take the oath prescribed by the recently-adopted amendments to the Constitution. The motion was carried, and the President accordingly administered the oath. Senator Lanning is the only new member of the Senate, having been elected, as will be remembered, to fill the vacancy caused by the death of Senator Ganson.

On motion of Senator Robertson, a committee of two was appointed to wait upon the Governor and inform him that the Senate was organized and ready to proceed to business. Another committee was appointed to convey a similar message to the Assembly. On motion of Senator Dickinson, it was resolved that the Senate meet at 11 o'clock A. M. until otherwise ordered.

Senator King offered the following resolution, which was adopted:

Resolved, That the Attorney General be and is hereby respectfully requested to report to the Senate at his early convenience his opinion as to the validity of the act known as Chapter 864 of the Laws of 1868; and, further, what action, if any, has been taken by him in pursuance of the resolution adopted by the Senate on the 23d of April, 1874, wherein he is directed to inquire whether the act entitled "An act to authorize the drainage of marsh lands," being chapter 864 of the Laws of 1868, was passed by authority, and with the legislative forms requisite to give it validity; and if he shall be of opinion that it does not conform to the requirements of the Constitution, that he be further directed to take such measures as may be necessary to obtain a judicial decision thereon.

The marsh lands referred to are situated on Staten Island.

The Senate took a recess until 12:30 o'clock. After the recess Senator King presented the second annual report of Dr. John Ordronaux, the State Commissioner of Lunacy, and it was ordered that 500 additional copies of the report be printed for the use of the Senate and 500 for the use of the Commissioner.

After its introduction the Governor's Message was brought in, and it was read to the Senators by two clerks who, as it was very lengthy, were obliged to relieve each other at intervals of about half an hour. After the reading the Senate concurred in a resolution of the Assembly that when the Legislature adjourn on the 6th it be until the 12th, and then adjourned until to-morrow.

THE SENATORSHIP QUESTION.

The organization proceedings have attracted so much attention that comparatively little is to be learned in relation to the other great topic, the Senatorship. Tammany has kept exceedingly quiet here since yesterday, and undoubtedly feels itself under a cloud, and is endeavoring to let it pass over before evincing any disposition to dictate or exert any marked influence. There is most undoubtedly a strong undercurrent of prejudice and distrust against John Kelly's party on the part of Judge Church's friends, who embrace a large majority of the strength of the rural Democracy. Murphy is gaining strength day by day, not rapidly perhaps, but surely, and a sharp struggle will be witnessed here before the great question is decided.

The Assembly and Senate will to-morrow adjourn until Tuesday next at 11 A. M., to allow time for the appointment of committees.

THE PHILADELPHIA CENTRAL PRESBYTERY.

PHILADELPHIA, Penn., Jan. 5.—At a meeting of the Presbytery of the Philadelphia Central to-day, the following resolution was passed:

Resolved, That in the judgment of this presbytery the consolidation of the Presbyteries of Philadelphia and Philadelphia Central is inexpedient, and the synod is hereby requested to dismiss the subject indefinitely, as a continued agitation of the matter is calculated to discourage and hinder the presbytery in the adoption and prosecution of permanent and systematic plans of usefulness within its borders.

WASHINGTON.

THE DEMOCRATS AND THE CIVIL RIGHTS BILL.

OPPOSITION BY FILIBUSTERING TILL MARCH 4 THREATENED BY THEM—TWO HOURS OF VOTING ON MOTIONS TO ADJOURN—THE LAKE SHORE RAILROAD COMPANY—MR. SCHUMAKER AND THE PACIFIC MAIL INVESTIGATION.

Special Dispatch to the New-York Times.

WASHINGTON, Jan. 5.—Incident to the news from Louisiana, Gen. Butler tried to-day to have the Civil Rights bill taken up in the House, and for that purpose moved to proceed to business on the Speaker's table. His purpose was to move to substitute for the bill from the Senate the compromise bill recently agreed to by the Judiciary Committee. He was willing to give a reasonable time for discussion, and if he had succeeded in reaching the Speaker's table, would, after a day or two of debate, have called the previous question, and put the bill upon its passage. The Senate Civil Rights bill is now the first business on the Speaker's table, and obstructs legislation by preventing action in the House upon any other bill passed by the Senate. The Democrats, of course, were unwilling to permit a vote, and Mr. Beck gave notice that he would filibuster until the 4th of March to prevent the passage of the bill. The Democrats were united in their opposition to the bill, but the Republicans were by no means in harmony. The great r portion of the day was taken up by the filibustering of the Democrats and voting upon motions to adjourn, and motions to adjourn to a certain day, and to take a recess, and upon the whole series of delaying propositions which the rules of the House recognize. The continued and partisan opposition of the Democrats against even a vote on the Civil Rights bill is acting as a potent influence in uniting the Republicans, and far more votes are now to be had in favor of the bill than if action had been allowed in the early part of the session without dilatory motions. The roll-call is fast coming to show unity among the Republicans on this measure, and the prospect of its ultimate passage at this session is far more favorable than it has been at any previous time. Action on it can, however, only be reached after a long struggle.

THE LAKE SHORE RAILROAD COMPANY.

It is alleged that the Lake Shore Railroad Company is in debt to the amount of $100,000 to the Department of Internal Revenue. Very little is known on the subject at present beyond the fact of such indebtedness, concerning which there seems little ground for doubt. An agent of the department now in Ohio is charged with the duty of making a thorough investigation at Cleveland, and his report is likely to be made within a week or ten days. It is not at present ascertained whether any further amount is due from the company, but a searching investigation will be made, and doubtless the true state of affairs will be discovered.

MR. SCHUMAKER AND THE PACIFIC MAIL LEGISLATIVE FUND.

Despite all the rumors of Congressman Schumaker's disappearance, he came to Washington and took his seat in the House to-day. He is said to have been extensively congratulated by his Democratic brethren on having received so large an amount of the money spent for the Pacific Mail subsidy. He does not appear to be very jocularly inclined himself, however, and to one who rallied him on the reports of his departure for Europe he made no reply. It is understood that he intends to brave the thing out, and will deny the right of the committee to investigate his private affairs. Probably Mr. Schumaker is damaged as much as he can be by any exposures concerning himself, but the committee and the country are very anxious to know whether he kept all of the $75,000 himself, and if he did not to whom he paid it. Every power which the committee possesses will be exercised to accomplish this end.

Dispatch to the Associated Press.

THE ARMY APPROPRIATION BILL.

The Army Appropriation bill came up in the House to-day in Committee of the Whole. It appropriates $27,701,500. It forbids recruiting beyond the number of 25,000 enlisted men, including Indian scouts and hospital stewards. It also forbids the allowance of mileage and transportation in excess of the amount actually paid, except to United States Marshals and Deputy Marshals. It also forbids payment for transportation of troops or supplies on any railroad constructed in whole or in part by the aid of a grant of public land; but such railroad companies may bring suit in the Court of Claims for payment of such transportation. It also forbids any expenditure at the national armories in the perfection of patentable inventions in the manufacture of arms by army officers who are otherwise compensated for their services. No action was reached.

PACIFIC MAIL.

The Committee on Ways and Means expect to resume the investigation of the Pacific Mail Steamship subsidy to-morrow. Several witnesses are now here and others have been summoned from New-York and Philadelphia. Representative Parsons has signified his readiness to appear before the committee at any time, to answer such questions as may be propounded. The Postmaster General, before paying the regular quarterly dues to the Pacific Mail Steamship Company, has directed the Solicitor of the department to report whether the company had complied with the law.

THE AGRICULTURAL REPORT.

The Public Printer has delivered to the Commissioner of Agriculture 25,000 copies of the Agricultural Report of 1872, and 50,000 of the Report of 1873. The balance of the appropriation will be exhausted in printing and binding such additional copies of the Report of 1873 as it will cover—say 50,000 copies—making the entire number of both reports 125,000, all of which, by direction of the Commissioner, have been or are to be delivered to the Department of Agriculture, for its use and distribution.

APPOINTMENT OF A DISTRICT COMMISSIONER.

Seth Ledyard Phelps was nominated by the President to-day as one of the District of Columbia Commissioners, in place of Mr. Blow, resigned. Though credited to this District, he is originally from Illinois. He commanded a gunboat on the Mississippi River during the late war, and is an old personal friend of the President.

MR. HAGER'S BILL TO REMOVE RESTRICTIONS FROM GOLD BANKS.

The following is Mr. Hager's bill to remove the limitation restricting the circulation of banking associations issuing notes payable in gold, as reported favorably by the Senate Finance Committee to-day:

Be it enacted, &c., That so much of section 5,185 of the Revised Statutes of the United States as limits the circulation of banking associations organized for the purpose of issuing notes payable in gold, severally, to the amount of one million dollars, be, and the same is, hereby repealed; and each of such existing banking associations may increase its circulating notes, and new banking associations may be organized in accordance with the existing law, without respect to such limitation.

NOMINATIONS.

The President sent the following nominations to the Senate to-day:

Seth Ledyard Phelps, of the District of Columbia, to be a Commissioner for the District of Columbia, under the act of June 20, 1874, vice Henry T. Blow, resigned; Henry H. Goldsborough, Appraiser of Merchandise at Baltimore, Md.; Albert G. Edwards, United States Assistant Treasurer at St. Louis, Mo.; Sewall S. Farwell, Collector of Internal Revenue, Second District, Iowa.

Postmasters—N. Gilpin, at Boonesborough, Iowa; E. Van Valkenburgh, Hillsdale, Mich.; W. R. McAllister, Grand Island, Nebraska; William P. Allan, Winchester, Ky.; E. J. Sullivan, Harrisonburg, Va.; John H. Bibb, at the University of Virginia; O. C. Morehead, Bremond, Texas; J. P. Alexander, Fort Worth, Texas.

Second Lieutenants in the Army—J. S. Jovett, Charles W. Mason, J. S. Morstellar, Corporal C. L. Hodges, Hospital Steward James Brennan, Sergt. N. F. Cunningham, and Private C. S. Chubb.

THE OPENING OF THE NEW PARIS OPERA HOUSE.

A DISTINGUISHED ASSEMBLAGE PRESENT—NILSSON UNABLE TO APPEAR—THE PROGRAMME—THE INAUGURATION A GREAT SUCCESS—THE ARCHITECT CALLED BEFORE THE CURTAIN.

PARIS, Jan. 5.—The new Opera-house was opened to-night with great ceremony and brilliant display, preparations for the event having been made for a long time past. Among the distinguished persons present were President MacMahon, Gen. Ladmirault, the Lord Mayor of London, the Duke D'Aumale, King Alfonso and the Ex-Queen Isabella of Spain, the Ex-King of Hanover, and all the members of the French Ministry, and the entire Diplomatic Corps. Christine Nilsson, who was to have sung in acts of "Hamlet" and "Faust," was ill, and unable to appear. Changes were consequently made in the programme, the fourth act and the grand chorus from "William Tell" and the fourth act of the "Huguenots" being substituted for the selections from "Hamlet" and "Faust." The inauguration was a grand success. M. Garnier, the architect of the Opera-house, was called out and received with prolonged applause.

GREAT BRITAIN.

EXPLOSION IN A COLLIERY—EIGHT MINERS KILLED.

LONDON, Jan. 5.—A dispatch from Rotherham, Yorkshire, says that an explosion from fire-damp took place in a coal mine there this morning, killing eight persons.

BISHOP MARTIN REMOVED FROM HIS SEE BY A LEGAL DECISION.

LONDON, Jan. 5.—Judgment has been rendered in the Ecclesiastical Court removing Bishop Martin from his See. The Bishop is absent from England.

SPAIN.

FOREIGN REPRESENTATIVES AT MADRID AND THE NEW REGIME—A SQUADRON TO RECEIVE THE KING AT MARSEILLES.

PARIS, Jan. 5.—All the Great Powers have authorized their representatives at Madrid to enter into semi-official relations with the new Government.

The Ex-King of the Two Sicilies has visited Alfonso, and assured him that the Counts Caserta and Bari will withdraw from the Carlist cause.

The Spanish fleet, consisting of three ironclads, will arrive at Marseilles to-morrow, to meet King Alfonso, who will leave Paris at 5 o'clock in the evening.

PREPARATIONS AT BARCELONA TO RECEIVE ALFONSO — ANOTHER ADVANCE FROM THE BANK OF SPAIN.

MADRID, Jan. 5.—Preparations are being made at Barcelona for the reception of King Alfonso. The city is to be illuminated and the troops will be reviewed by his Majesty.

The Bank of Spain has advanced the Government Treasury 40,000,000 reals.

FRANCE.

ANOTHER MESSAGE FROM MACMAHON TO THE ASSEMBLY EXPECTED.

PARIS, Jan. 5.—It is stated that another message from President MacMahon to the National Assembly, urging it to vote the constitutional laws, is about to be sent in.

TURKEY.

CONDEMNATION OF RIOTERS WHO TOOK PART IN THE PODGORITZA DISTURBANCE.

CONSTANTINOPLE, Jan. 5.—Several persons who took part in the disturbances at Podgoritza, Albania, where a number of Montenegrins were killed, have been condemned to death by the Turkish authorities.

BY MAIL AND TELEGRAPH.

The internal revenue receipts yesterday were $181,441.

The amount of national bank notes received for redemption yesterday was $987,400.

A German confined in a station-house in Boston for stealing killed himself with his pocket-knife yesterday.

The United States ship Pensacola, now at San Francisco, has been detailed to carry King Kalakaua to his home.

Charles Albrecht, a German, committed suicide last night, in Columbia, S. C. Business troubles caused the deed.

The new depot of the Boston and Providence Railroad, in Boston, was formally opened last night. There was a large attendance.

The election in the Tenth Congressional District of Massachusetts, for a successor to Mr. Crocker, will be held Jan. 15.

According to the Boston *Journal's* record of fires during the past year, the losses by fire in New-England amount to $10,714,935.

Two centenarians have died in South Carolina in the past few days—Mrs. Rosenberg, aged 103 years, and Richard Cottril, aged 119 years.

The postponed special meeting of the Rowing Association of American Colleges will be held at the Allyn House, Hartford, on Jan. 13, at 10 A. M.

Lieut. J. F. Moser is ordered to special duty in connection with the Interoceanic survey. Lieut. Thomas A. D. Bloss is ordered to the Pensacola Navy-yard.

The nailers of Wheeling, West Va., have agreed to a reduction in price for cutting nails. Twenty-one cents for ten-penny will be the basis of the new arrangement.

The Governor and Council of Massachusetts, after hearing the petitioners for the pardon of Spence Pettus, considered the subject briefly in private session, and then postponed their decision until this morning.

Owing to the illness of one of the defendant corporation's counsel, the trial of the case of Insurance Commissioner Stedman against the American National Life and Trust Insurance Company of New-Haven, Conn., has been postponed until Thursday morning.

THE NEW-ENGLAND AGRICULTURAL SOCIETIES.

BOSTON, Jan. 5.—The Executive Committees of the six agricultural societies of the New-England States met here to-day, to confer with the New-England Agricultural Society. Some fifty delegates, embracing the most prominent friends of agriculture in New-England, were present. The principal business of the convention was the consideration of the improvement of the conduct of State affairs, and it is anticipated that good results will arise from the conference. Most of those present favored the continuation of the New-England Society.

THE TILTON-BEECHER SUIT

THE TRIAL COMMENCED IN THE BROOKLYN CITY COURT.

ARGUMENT OF COUNSEL ON A QUESTION OF JURISDICTION—THREE JURORS FOUND COMPETENT, BUT NOT SWORN—REV. HENRY WARD BEECHER AND MR. THEODORE TILTON IN COURT—ELEVEN MEN WHO HAD EXPRESSED OPINIONS.

For the first time since the commencement of the suit the City Court-house in Brooklyn held yesterday within its chambers of justice, almost face to face, Mr. Tilton and Mr. Beecher, as plaintiff and defendant. Without the least semblance of uneasiness, as plaintiff and undisturbed as when awaiting an audience at a lecture, Mr. Beecher sat but a few feet from his accuser, Mr. Tilton, whose demeanor, too, showed neither sign nor faintest trace of emotion. Backed up, surrounded by most distinguished counsel, men skilled in legal fencing, profound in learning, sound in judgment, both Mr. Beecher and Mr. Tilton, the long preliminaries being now almost brought to a close, seemed determined to meet what might come with dignity and composure. Long before the hour of opening the court at 11 o'clock, a large number of persons were in attendance, and the galleries, lobbies, and court-rooms were crowded. The audience was a dual one, the rooms in Part I. and Part II. of the Court-house having both been filled. Early in the morning it had been noised about that the Judges had been in consultation, and that the case would be tried by Judge Neilson, which eventually proved to be the case. It was quite 11 o'clock before counsel for either side made their appearance, Mr. Tilton and his lawyers, Messrs. Beach, Fullerton, Pryor, and Pearsall coming in first, followed shortly by Mr. Beecher, with Messrs. Evarts, Porter, Tracy, and

into that room, taking with him the jury-box, from which the jurors will be called. I will remain in charge of the general calendar.

This announcement occasioned the utmost confusion, and an immediate rush was made for that part of the court presided over by Judge Neilson. The court was in a short time emptied, but the counsel for Mr. Beecher did not leave their seats. When order was restored Mr. Evarts rose and said:

REMARKS OF HON. WILLIAM M. EVARTS.

If it please your Honors, representing the defendant, I submit that this case should be tried by the presiding Judge of this court. In that way anything which looked like a selection of Judges would be avoided. If it be true that there is equal authority and power, and in the absence of consent of counsel accorded to two different Judges at the same time, then the regular administration of justice makes it a matter of indifference who shall try this case. It will not be denied that when a case is called it is legally commenced. And if the Judge has authority to transfer the case after that, independent of the consent of counsel, there is no more to be said. As regards what happened yesterday, my absence allows me to speak. Judging from the published reports, it happened that the case was called, and that the counsel answered "ready." The cause was then not only considered "on" by the presiding Judge, but "on" in this court, so that from that time there were reasons for the counsels not taking up any other cause, and for the courts not trying any other cause. Thereupon two motions were made—one that the panels should be consolidated, the other that the jury be impaneled; and for the convenience of counsel, and that no actual progress should be made in the case, this latter stood over until 11 o'clock to-day, so that the cause stands now as it did then. This is a very brief matter. It is not connected with the selection of any Judge. We say that this defendant is on trial in this court, and that the practice of the court has been only to send cases to another Judge after the consent of counsel, and that you may search in vain for the power to hold double circuits of this court. That power is given in express statutes to the Supreme Court, and the Superior Court, and Court of Common Pleas of the City of New-York. Having made this statement, you will dispose of it as one of the preliminary steps of the trial of this cause, in our judgment, and should you dispose of it against us, we still contend that we are on trial before your Honor.

PLAINTIFF'S COUNSEL SUMMONED.

Mr. Shearman—We can refer your Honor to authorities covering every proposition in regard to this point. But we do not see the counsel on the other side. They do not seem to be present. I suggest, then, the other counsel on the other side be sent for. They are not here, and did not consult us about leaving.

[At this point the counsel for Tilton entered the court-room.]

Judge McCue—They sent for you, Mr. Beach, because in your absence, not being aware that you were not in the room, Mr. Evarts has addressed a few remarks to the court in reference to the right of the court to send this case before another Judge, on the ground that the case was called and is now on, and that there could be but one term held of this court.

Mr. Shearman—I will state the grounds of my objection.

ADDRESS OF MR. BEACH.

Mr. Beach—I have heard them sufficiently. Probably Mr. Evarts has made his suggestions in consequence of not knowing the arrangement entered into between the counsel for the defendant and the plaintiff's counsel, and this court, in which, on the suggestion of my friend, that he was engaged in a case in New-York, your Honor should preside until 12 o'clock, when Judge Nelson should preside in the impaneling of the jury. The objection was made on Monday, that no proceedings should further be taken in this case until this morning at 11 o'clock. It must be in your Honor's recollection that it was expressly stated that no proceeding could be taken in the case besides swearing in the panel—that no other proceeding could be taken until 11 o'clock today. I was considerably surprised when I saw in the public prints yesterday, and, without intending any offense to any gentleman I pronounce this proceeding entirely repugnant to the arrangement between counsel. There was no appearance here except on the part of Mr. Pearsall, who came to see what was going on. Mr. Morris declined to be present. I understood this arrangement to be what I have stated. Mr. Shearman addressed to me the inquiry whether or not I should be over here on Monday, and I gave him the express assurance that I should not be here, and I therefore say that the proceedings which were taken on Monday *ex parte* on the part of the defendant's counsel, were not a commencement of the trial of this case, and could not be so considered by this court. We have relied on the arrangement made. I do not wish to allude to other circumstances connected with the history of this case, out of which this arrangement sprang. In regard to the power of this court to hold two terms, I understood it to be the usual practice of this court so to do, and I know nothing that prohibits it. It is a power held by courts in the City of New-York, and by the act of 1870 the same power was conferred on this court.

WHAT MR. SHEARMAN SAID.

Mr. Shearman—If your Honor please, your Honor was present at the time of this alleged arrangement; the learned Judges sitting here were present. I want to appeal to your Honor's memory to justify everything that was done yesterday. There was no agreement that the case should be put off until this day. At your Honor's suggestion, it was proposed that the jurors should be called. There never was any agreement contrary to that. There never was any suggestion that there should be a different agreement. There was no suggestion that the calling of this case should be deferred until 12 o'clock to-day. We came here at 10 o'clock and the case was called, and we answered "ready." He sent a gentleman over to Messrs. Morris and Pearsall, and Mr. Pearsall, whose acts certainly are binding on the plaintiff, came here; we sent the assurance that the case would be called at 12 o'clock, and not before; this is the answer we received, that Mr. Pearsall brought. Are we never to have done with this business of disowning acts of counsel for the plaintiff? Can we never have concert of action? Are we never to be able to rely upon the assurances of the counsel? Mr. Pearsall appeared here, and answered "ready." He did not say that the case was by any agreement not to be called until 11 o'clock to-day. The case was to be called, and he answered ready, and the impaneling of the jury was not to proceed until 11 o'clock this morning. The case was called and was on, and we carried out every implied agreement that the gentlemen made on the other side. Mr. Beach, whose learning, age, and experience gave him the lead on that side, was not present, nor were leading counsel on our side; but the case was called, and both sides answered ready. No objection was made except that it should lie over until this morning. We moved that the two panels be consolidated. No objection was made to that motion, and it was laid over until this morning. The case was commenced without objection in pursuance with that understanding.

[At this point Mr. Shearman quoted authorities to show the want of power to send the case before another Judge, the case having once been called before Judge McCue.] After submitting these authorities, he said that there was no precedent in the courts of England or in any other courts where the court could be divided. He denied that this court had the power to send the trial of this case to another court. He denied that the other court would have the power to impanel a jury, and the witnesses who testified in that court could be indicted and convicted of perjury, and such a course would not be in accordance with the due administration of justice, and this he respectfully submitted to his Honor. Mr. Shearman then asked if Mr. Tracy recollected the interview between counsel, and if so, he begged him to state it.

GEN. TRACY'S SPEECH.

Mr. Tracy said he was present at that interview, and he remembered substantially the same thing as stated by Mr. Shearman. It was distinctly arranged that the cause was to be called on Monday, and after that was talked of the suggestion of Mr. Beach's difficulty—that he did not want to be present on Monday—was made, and then it was suggested that the cause should be called and the impanelment of the jury proceed in his absence. That was objected to, as he desired to be present at the impaneling of the jury. Then it was stated that the impanelment of the jury should not begin until to-day at 11 o'clock. In pursuance of our understanding, he continued, we appeared here yesterday morning at 10 o'clock, supposing that this case would be called in its usual order, and each party was to answer ready, or if either party desired to postpone the case, the motion would then and there be made. We appeared here for that purpose, but to our surprise the counsel for plaintiff did not. We sent word to his office, and he answered that the case was not to be called till 12 o'clock, and then he should appear, and not before. To make that doubly sure, I went to the office of the counsel and saw him and his partner, Mr. Pearsall, and told them that we understood that the case was to be called—that it would be called at 12 o'clock. I told him that we wanted to know whether the case was to be tried at this term or was it to be postponed, and if there was to be any motion for postponement we wanted to know it then. I am not certain that I stated so fully to him on the question of postponement, but I did say distinctly that we wanted the case answered ready, because we wanted to know whether they were ready for trial, and that unless the case was called then there would be nothing to prevent their coming in and postponing the case. If they did not answer ready we would not know whether the case would go on or not. I explained to him fully the reasons that made it necessary to have the cause on trial, because other business engagements of counsel might intervene unless this cause should be called and placed upon trial. It would also be an excuse which would relieve the counsel from other business engagements. After that interview I appeared again before this court at 12 o'clock, the time at which the cause was to be called. Mr. Pearsall, one of the attorneys for the plaintiff, appeared. Mr. Shearman made his statement to you. He stated the facts of the case, which was agreed to by Mr. Pearsall, by his statement in open court that they understood the arrangements precisely as Mr. Shearman had stated, and your Honor will remember that it was upon that agreement I suggested that, as there appeared to be no disagreement among counsel as to the arrangement, the case be put on trial and stand over until this morning. The case was called, and your Honor announced that it should be considered on, and thereupon I stated that the first question which should be raised before the court was as to this panel—the regular panel and the extra one—whether the regular panel should be first exhausted, or whether the two panels should be consolidated in the box before the paneling was commenced. Thereupon Mr. Shearman raised the question with regard to the impaneling of the jury, and the agreement was finally made that that question should be postponed until to-day. These were all the arrangements that were made, as I have stated them. I have never understood myself as being a party to any agreement, or being present at any consultation where it was agreed on a particular Judge to try this case. I am not aware that your Honors are in the habit of submitting that question to counsel. It would be a most extraordinary step, I think, to submit such a question, which belongs exclusively to the Judges, to the arbitration or agreement of counsel. I have always supposed that when causes were noticed for trial by this court, they are called in the usual way on the calendar, and are disposed of according to the practice of the court. I have always supposed that this case would be disposed of in that way. I have assumed that according to the regular and uniform practice of this court, the calendar is in Part I. under the control of the Judge who is presiding, and that the jury box is also in his control. And I assumed when this case was called it would be called before your Honor, as all other cases are before the Judge who presides in this part. I supposed that the paneling of the jury should proceed here, and that after that work was accomplished, if it should be suggested for the convenience of this court, or for any other reason, that this case should be transferred to Part II., and that was assented to by the counsel, then the case should be transferred and tried before Judge Neilson. I never supposed that anything unusual was to take place in this case; I never understood myself as assenting to any arrangement by which this case would be tried in Part II. We have simply asked that the case should proceed as all other cases have, and take its usual course according to the practice of this court. Now, it has been suggested, so far as this case is concerned, that it be transferred to the other court, and that the jury-box be sent into the other room. Is that the usual practice of this court? Is there any precedent in this court for such a proceeding? We ask why are we not allowed to proceed in this case as other litigants are, and not be hampered by these continual arguments? There is no power to hold this second part unless all parties agree. That is all we have to say.

MR. BEACH'S ADDRESS TO THE COURT.

Mr. Beach—I have a strong disinclination to continue this discussion. I think the movement on the part of counsel was but a device which they had resorted to to bring the case before your Honor. I am certain there is a strong and clear consciousness on the part of every one who has had any official connection with this case, that the attempt now made by counsel for defense is a departure from a clear understanding which was held between the court and the counsel in regard to this trial. When the case was called before Justice Neilson at the last term, and when, as your Honor knows, we were pressing a trial with all earnestness and fidelity, it was announced that upon the calling of this cause at this term, if it were postponed it would be at once sent before Judge Neilson for trial. It is needless just now to allude to any circumstances which may have led to that announcement. It was made, Sir, and it was influential in governing the course which was taken by the counsel for plaintiff. I have alluded to the meeting which was held in the Judges' room on the part of all the Judges, and on the part of the two counsel for the defense who have addressed your Honor this morning, and which was also attended by counsel for the plaintiff. Who then took the direction of this court? Who then consulted with counsel in regard to the time and the mode of trial? Who then admonished counsel that it was necessary to have a full and complete understanding between them and the court that this cause should be tried at this term, and on yesterday? Who told the counsel that it was expensive to the county to summon an extra panel of jurors, and that the court was unwilling to adopt the course unless they had the most positive assurance from counsel that the cause should be tried at this session of the court? Not your Honor. You handed to Justice Neilson, in accordance with the announcement you had previously made, and with a perfect understanding between counsel as to the effect of it—you handed the management of the entire matter to Justice Neilson, and when the subject of any arrangement was suggested to counsel on Monday, it was your Honor who suggested to counsel and to Justice Neilson that you would proceed on Monday morning with the ordinary business of the calendar, and then Justice Neilson should commence to call the extraordinary panel of jurors, and swear in those jurors, that there might be no delay or cause for delay in the proceedings of the trial. At the last interview between court and counsel it was clearly and definitely expressed that no jury should be impaneled on Monday, and that the extra panel was to be called and sworn in and the other proceedings postponed until this morning. Therefore there was no occasion for the appearance of the gentlemen yesterday. It looks to my mind very much like a device for the foundation of the motion which the counsel make this morning, as it was a departure from the express agreement for the purpose of raising a technical question. But it is said that this case is on trial before your Honor, and that it is incompetent for this court to send it away to another court. Is the calling of the calendar the commencement of the trial? Is the announcement of counsel on both sides that they are ready for the commencement of the trial? And if we commenced the trial upon yesterday, so that your Honor has sole and exclusive control of this proceeding, how happened it this morning that your Honor took the calendar and called the cause, and asked counsel if they were ready? If this is so, we have then commenced the trial this morning as well as yesterday. How perfectly unfounded is it to say that the call of the calendar by the court for the purpose of ascertaining if the cause is ready for trial, and direct a mode of proceedings that the disposition of the calendar is the commencement of the trial. It is one of the propositions of the counsel for defense that this court has no power to hold a double session. I have not examined that question for the purpose of discussion, but I have a general recollection of the provisions of the statute of 1870, in relation to the power to hold separate parts of courts. In 1870 the Legislature passed an act assimilating the jurisdiction and powers of this court to those possessed by the courts of New-York, enumerating the Supreme Court, Superior Court, the Court of Common Pleas. The statute gives to each of them equal jurisdiction and powers. I submit that the statute confers upon this court all the jurisdiction in regard to the sessions of the court which are possessed by the courts of New-York. The second section of that act provides that the three Justices of this court, or any one of them, may hold sitting courts for the trial of causes. There is nothing in that act directing that the sessions of this court shall be held by a single Judge. I insist that by force of that provision this court, by its three Justices, has the power to sit and conduct the trial of causes where these causes are of sufficient importance in the judgment of the court to justify their united action. More than that, the fourth section, which directs the court to hold ten terms during the year, also confers upon the court power to appoint special or general terms. That is a power which enables this court at once to say that there shall be a special term held or a general term—to say for a general or special purpose—that this trial court is but a special term of the court. But your Honors have been in the habit of holding, in obedience to the views which I have submitted to you, terms—dividing the terms into parts. In several thousand instances I assume your Honors have exercised that power. Your Honors have proved judgments entered in these several parts. Those judgments and that action from the judgments have been approved by the General Term of this court; and will your Honor, sitting alone, overrule the practice settled over and over again by the General Term? I think, and your Honor will agree with me, that it was part of the agreement between the counsel and the court that this cause should take the disposition which your Honor has already given it this morning.

WHAT MR. MORRIS SAID.

Ex-Judge Morris—I did not attend here yesterday morning, not out of disrespect to the court, but simply because I understood the arrangement as the counsel (Mr. Beach) has stated, and that the case was to be taken up to-day at 11 o'clock, when the impaneling of the jurors would proceed. Therefore I did not come over, and when word was sent over to my office that Mr. Shearman and Mr. Tracy were here. I sent word back simply what the understanding was, and offered no excuse for not being present here. Mr. Tracy called over to see me, and then I stated to him distinctly what the understanding was. I was somewhat surprised at Mr. Tracy's calling to ask me to come over here in court, and I said to him: "Gen. Tracy, you know very well that the case is not to be called to-day; nothing is to be done to-day except that the jury is to be organized by Judge Neilson and the case called to-morrow, when the impanelment of the jury will be proceeded with, and we shall be on hand at that time in pursuance of the agreement received for the trial of the cause." Two or three messengers were sent over, and then, thinking your honor might deem it discourteous, I told Mr. Pearsall to go over to the court and state simply to the court the arrangement. That is all. And I understand that the question was pressed, if the reports in the newspapers be correct, very strenuously by Mr. Shearman upon Mr. Pearsall, as if to badger him into the position of not being ready, of the plaintiffs not being ready, and that you were ready.

Ex-Judge Beach—Your Honor should proceed to the impaneling of a jury. Then the question of law would arise as to the discretion or power of your Honor to send a cause for trial before Judge Neilson or any Judge of the court. Well, Sir, I think counsel will agree that the impaneling of a jury is the commencement of a trial, or part of a trial, and in this case is one of the most important, if not the most important, proceeding, to be had in this trial. What question of law will then remain after the argument that has been submitted by Mr. Shearman on the part of the plaintiff? If your Honor commences the trial of the case in this way, you must prosecute it to the end. And it is in that way that it is hoped to escape the common arrangement and understanding which existed in regard to the mode in which this trial should be had.

Judge McCue—Let me ask whether you distinctly claim an agreement between counsel to this mode?

Ex-Judge Beach—No, Sir, I do not claim any express agreement; but I do claim that it has been announced, and that it has been understood by the action of another Judge of this court in relation to the bringing of the trial, and the impaneling of a jury that that course should be taken.

CONCLUDING REMARKS OF MR. EVARTS.

Mr. Evarts—I omitted to say something with regard to that special panel. It is returned in a particular room, for the consideration of the excuses of the jurymen by a particular Justice. That had nothing to do with this case. Those jurymen were attendant on the court for this term. The court was listening to their excuses about jury duty. They were in no sense any part of the proceedings in this case. But here primarily arises a question propounded yesterday to your Honor. Here is a special panel. It is not a special panel for the Beecher case. It is a special panel of a fixed number to attend this court. They are of the same character as the general panel is; they are all one panel for the purpose of drawing lots for this case, or any other case. We may be wrong, but that is our proposition of law made to your Honor yesterday. Now I do not understand that your Honor sends this term before another associate in another room. If this is caused for the convenience of trial, then the disposition must arise after you have disposed of the consolidation of the panels and the impaneling of a jury.

Judge McCue—I desire to consult with my associates in relation to the point as to the power of the court to hold a Special Term. We will take a recess, therefore, for half an hour, or for longer time if the counsel desire.

A recess was accordingly taken, and on reassembling Judge McCue rendered the following decision:

DECISION OF JUDGE M'CUE.

I have given this question, gentlemen, the best consideration that I could during the interval of the recess, and I have come to the conclusion, and shall so rule, that we have a right to hold two terms. The act of 1870 provides "that the three Judges of the court, or any of them, shall hold a court of civil jurisdiction." So far as the calling of the case yesterday was concerned, I do not understand that it was on in the sense that the trial of the cause had commenced. The calendar was called for the purpose of ascertaining the cases that were to be tried, and I shall therefore renew the direction that I gave this morning in the cause, and send it before Judge Neilson for trial. The case will be called and tried there, and the counsel can make objection here and have it spread upon the record, or there, to the end that the question shall be raised hereafter if it is of importance. But before dismissing the case I desire to say, on behalf of my associates and myself, that we have felt very much embarrassed and annoyed at the intimations that have been thrown out, from time to time, that this case was to be tried before one Judge in preference to another, and not to be tried before any particular Judge. We have tried to dispose of this question in the ordinary course of practice in this court, and in the direction that I have given to the case I trust that both parties will receive all consideration that they are entitled to—all the consideration that an ordinary suit is entitled to—and that is all they ought to have. Upon this question of the construction of the statute, I desire to say that this is simply my opinion. My associates are not bound to concur in my views; they are at liberty to examine the questions which shall arise before them, and act accordingly. The parties, therefore, and the witnesses and the counsel will pass into the room opposite, before Judge Neilson, where the jury will be impaneled to dispose of this cause.

Mr. Evarts—You will note our exception to this ruling.

Judge McCue—Certainly, and you may have it spread at length upon the record in such a way as you desire, so that you may raise the question hereafter.

Mr. Shearman—Does your Honor direct all the jurors in the case.

Judge McCue—Yes, Sir.

Mr. Tracy—In both panels?

Judge McCue—You will ascertain that in the other court. I have one panel of jurors; I know nothing about the other.

Mr. Shearman—The regular panel?

Judge McCue—The regular panel goes in there. There are no others you will have to dispose of in there.

The counsel retired, and Judge McCue proceeded with the ordinary business of the court.

IMPANELING A JURY.

COMMENCEMENT OF THE TRIAL OF THE CASE BEFORE JUDGE NEILSON—THREE JURORS OBTAINED.

The court having reassembled in the room of Part II., Judge Neilson rapped sharply with his gavel as a call for order, and said:

"Are the counsel all present?"

The counsel in a body replied in the affirmative, but, owing to the confusion that followed the rush of the crowd upon the opening of the court, they were surrounded by the crowd, and found themselves without seats.

Mr. Evarts said: "We rise upon a question of privilege. We suppose ourselves entitled to seats at some table, and we do not see that there is any."

The Court ordered that one of the tables appropriated by the reporters should be vacated and seats provided for the counsel; and this having been done, the Clerk called out the name of Henry Thayer, No. 4,763.

Mr. Evarts said he made the same exception to the proceedings as they had made in the other part of the court.

Mr. Beach then made another plea for a little more space.

Mr. Evarts also said: Your Honor will understand and the crowd in attendance will do us the favor to recognize the fact that attention to the drawing of the jury is regarded on both sides as an important and responsible duty, that will require us to be in constant communication with our clerks and other persons, and we wish space reserved to us for the proper performance of our professional duties.

The Court—It must be given. The officers must see that the gentlemen not required by counsel to be near them retire further back.

Mr. Evarts—If your Honor will allow me, I ask for information. One juror's name has been drawn, and I desire to know if the Clerk is now drawing from the names of the general panel and the special panel combined.

The Court—No, Sir; I will combine them, if it is at the request of counsel on both sides.

Mr. Beach—No, Sir; (after a pause;) yes, Sir, with our consent, not at our request.

Mr. Evarts—I think that the additional panel is not a panel in our case, but a panel attendant upon the court by the exigencies which our case may present, and, of course, it is a question which should now be settled.

The Court—Are you willing that it should be stated that upon your suggestion (to Mr. Evarts) and with the consent of the counsel opposed, all the jurors should be put together?

All the Counsel—Yes, Sir.

The Court (to the juror)—You may stand aside, Sir.

The Clerk then called No. 5,737, Mr. William Hartness, but the confusion that still prevailed in the court was so great as to call forth another protest from the counsel.

The court directed the officers to preserve order, and added, "I promise you more quiet quarters to-morrow, gentlemen."

Mr. Shearman then said: We desire to suggest that in order to avoid the responsibility on either side—the somewhat annoying responsibility—of raising some formal objections to jurors, some of whom might think that they were sufficient; we would to avoid the necessity of putting such questions, if it meets the approbation of the other side—that your Honor put certain formal questions to each juror, such as his age, residence, occupation, citizenship, whether he has heard of this case before, and whether he is on the assessment roll.

The Court—I appreciate the delicacy that prompts this suggestion, but the jurors will understand that it is the duty of the counsel to put such questions, even to the best known citizens who may be called. I think the counsel had better interrogate the jurors.

Mr. Beach—I dissent entirely from the idea that this duty should be assumed by the court. I feel no delicacy in examining any juror who is called, both as to the formal and meritorious questions going to his capacity as a juror whenever I think it my duty to exercise that privilege. This juror has been sworn as upon a challenge. I do not know who has preferred the challenge. We have not.

The Court—I think counsel on each side had better exercise their privilege to put such questions.

Mr. Shearman—We challenge this juror for principal cause.

EXAMINATION OF THE FIRST JUROR.

Mr. Shearman then examined the juror as follows:

Q.—Will you state your age and place of residence? A.—Age, thirty-five; residence, No. 127 St. Felix street.

Q.—Occupation? A.—My business is painting and paper-hanging.

Q.—Are you acquainted with either of the parties in this suit? A.—I am not.

Q.—Have you heard of the controversy which forms the subject of this suit? A.—I have.

Q.—How long ago? A.—From the commencement of the publication in the papers.

Q.—To what publication do you refer? A.—I disremember the first publication. I think it was in regard to the publication of a statement by Mr. Tilton, which was published in the papers.

Q.—Do you refer to his letter to Dr. Bacon? A.—I believe that was it.

Q.—Then you never heard of the Woodhull & Claflin paper? A.—I heard of it, but never took any notice of it to read about it. The first I noticed was this letter.

Q.—Did you not become informed of the substance of the story that was contained in the Woodhull & Claflin paper? A.—No, Sir.

Q.—Prior to the publication of this letter to Dr. Bacon, you were not aware that there was any such charge, or any similar charge, made by the plaintiff against the defendant? A.—I did not, further than I saw in the papers.

Q.—Did you have any opinion upon the subject? A.—I have.

Q.—Will you state what that opinion is?

Opposing Counsel (in a body)—No, no; that won't do.

Q.—Have you expressed any opinion? A.—I have.

By Mr. Beach—That opinion is founded upon what you have read in the papers? A.—Yes, Sir.

Q.—Is that a fixed and definite opinion, that would disqualify you from deciding the case upon the evidence? A.—No, Sir, I think not.

Q.—Is that opinion so fixed and definite in its character that you would not be able, in your judgment, to decide this case on your oath simply to render an impartial decision? A.—No, Sir.

Q.—Then you could decide this case under the instructions of the court on the evidence? A.—I think I could.

Mr. Evarts—We are not called upon to remove a fixed and expressed opinion. The law decides, I think, that the juror is not impartial in such a case and not in a fair attitude toward it, and his opinion as to whether he could come to a just conclusion upon the evidence does not place him in an impartial attitude toward the case.

Mr. Beach—The counsel, I think, confounds the two forms of challenge. Whatever might be the effect of an opinion upon the challenge to the favor, upon a challenge for principal cause when the juror testifies that he could pass upon the evidence under the instructions of the court as to the law, without being influenced by the opinion he has formed, it is not a disqualification under that challenge. I do not know that it is a question which is necessary to be pressed, and I am quite willing that these causes of disqualification, where a challenge is interposed to the favor, be considered upon the challenge for principal cause.

The Court—That will save time. I think the juror must stand aside.

THE SECOND JUROR CALLED.

The next juror called by the Clerk was No. 6,043, Mr. Charles E. Foster.

Some little discussion ensued between the counsel, at the end of which Mr. Evarts appealed to the Court, saying, "Our view, your Honor, is that the plaintiff first determine whether they challenge."

The Court—I think that is so, gentlemen, the principal thing being all the time to get at the qualifications of the juror.

The examination of the juror was then proceeded with by Mr. Beach; but the witness spoke in so low a voice as to be almost inaudible, and in spite of constant directions from the court to speak louder, he persisted in letting as few persons as possible hear what he had to say. His statements, as nearly as could be gathered, were as follows:

I reside at No. 320 Columbia street. Went abroad last April. Do not know anything about the case except what I have occasionally read in publications. Cannot recall which publications I have read any statements in.

Q.—Have you read any of the statements which have appeared from time to time? A.—No, Sir. I know the case only from hearsay, and from conversation with my father and the members of my family.

Q.—Have you had any conversation with any person on the subject matter of this trial? A.—I have not.

Q.—Have you read any of the letters or statements of Mr. Tilton? A.—No, Sir.

Q.—Or Mr. Beecher? A.—I have not.

Q.—Did you read the reports of the committee? A.—I did not.

Q.—Are you acquainted with either of those parties? A.—No, Sir.

Q.—Have you formed any opinion in regard to this case? A.—No, Sir.

Q.—Have you expressed any impressions in regard to the guilt or innocence of the defendant? A.—I may have expressed an opinion.

Q.—Do you belong to any religious body? A.—Dr. Cuyler's church.

Q.—Did you read any of the proceedings of the Congregational Council? A.—I think I glanced over the paper once or twice. I do not remember anything about it.

Q.—Did you not feel sufficient interest to read the proceedings in the papers? A.—I had lost all interest in it.

Q.—But you say you did not feel any interest? A.—I have been abroad about five years, and I had very little interest in the case.

Q.—Are you acquainted with Alderman Whitney, in your vicinity? A.—I am.

Q.—Have you had any conversations with him in regard to it? A.—No.

Q.—When were you summoned? A.—It was on Friday morning.

Q.—Since that time, you have conversed with no person in regard to having been summoned? A.—I think so.

Q.—To whom did you mention it? A.—To a great many people.

Q.—This service of a summons was by copy at your residence? A.—It was handed to me by a—

Q.—You have heard impressions expressed in regard to this case? A.—Yes, Sir.

Q.—These expressions of opinion in your own family—did they arise from conversations? A.—Yes, Sir; they read the papers.

Q.—And discussed the contents? A.—Yes, Sir.

Q.—Expressed opinions? A.—Yes, Sir.

Q.—Did you make no reply or comment upon those expressions of opinion? A.—I think I did.

Q.—Were they favorable or unfavorable to one side or the other? A.—They would be unfavorable to one side. I did express an opinion.

Q.—And that was upon communications made in conversation had upon the subject of these publications discussed in your family? A.—Yes, Sir.

Q.—Upon those communications made you expressed an opinion? A.—Yes, Sir.

Q.—Do you entertain that opinion now? A.—I am not capable of answering that question. I have seen nothing to change my opinion.

Q.—Was the opinion you expressed honest at the time? A.—I think it was.

Q.—You actually entertained it? A.—Well, I think I did.

Q.—Has anything occurred to change it? A.—No, Sir.

Q.—You entertain it now? A.—Yes, I do.

By Mr. Shearman—Was this opinion of yours a fixed opinion, or a mere impression? A.—It was a mere impression.

Q.—Was that impression so strong that it would require any evidence to remove it on the trial of this case? A.—No, I do not think it was.

Q.—Do you think that on the trial of this case you could listen to the evidence as if it were entirely a new case, without reference to that opinion? A.—I think I could.

Q.—Was that any thing more than a hypothetical impression formed upon the assumption that the facts were as stated to you? A.—My opinion was simply expressed on what I heard. I did not read the papers at all.

Q.—Did you suppose you had heard or read a full statement of the case? A.—I supposed I had heard a statement, but not a full statement of the case.

Q.—Did you suppose that upon a full statement things might appear very differently to you, or did you suppose nothing could change your opinion? A.—I had no opinion about it.

Q.—This was simply an impression from what you were told—is that all? A.—That was the case.

Q.—Have you any bias which would require evidence to remove? A.—I have not.

By Mr. Beach—Did you believe what was told you at the time you expressed your opinion? A.—Yes, I had every reason to believe it.

Q.—You did believe it? A.—Yes, I did.

Q.—And you expressed an opinion upon what you heard? A.—Yes, I did.

Q.—Have you changed it. A.—No, Sir.

Mr. Shearman—It seems to me that this juror has nothing but an impression formed upon outside statements, and that he admits that these outside statements are not evidence, but that they are mere hearsay upon which he would not for a moment condemn or acquit any one. An ingenious question has been put to show that evidence would be required to remove it, but evidence would not be required to remove it in this case. His meaning is that in consequence of his long absence he has not had the opportunity to hear all the facts. Undoubtedly he has formed some slight impression. I do not suppose we shall ever get a juror who has not formed a slight impression. We are willing to take gentlemen who have formed an impression adverse to our client, but who are fair and impartial and honest, rather than men who have never read the newspapers, and who pretend that they do not know anything about the case. That class of jurors we should regard as the most suspicious of all. I will refer your Honor to the case of O'Brien against the People, 36 New-York Reports. Under that case I think your Honor will find that a juror professing sentiments just like this one has been declared qualified.

Mr. Beach—He is competent on a challenge for principal cause, but this is a challenge to the favor, and under that challenge the rule is universal that the juror must be entirely indifferent as between the parties. I suppose that principle was settled by your Honor and by the senior counsel upon the other side upon the challenge to the last juror. I acquiesced in it, because I desire to get a quality of jurors in this case which is approved by the law. This juror has been absent and has not kept pace with the publications of this controversy in the press, but he receives in his domestic associations, from his father and other members of his family, who have read the newspapers, a communication in regard to the facts which they have ascertained from that perusal. He says he believed the statements which were then made to him; that he then formed and expressed an opinion in regard to the merits of this litigation; that the opinion abides by him still and he would not abandon it until evidence sufficient to remove it was produced to him. If your Honor, under these circumstances, can say that this is a mere hypothetical impression, that this juror stands indifferent as between these parties, and can with entire impartiality hear and decide this case upon the evidence, we shall acquiesce in your Honor's decision. But we consider that this presents a very strong and marked case of an outside bias and impression, resting upon a fixed and deliberate opinion upon facts communicated to him from sources upon which he was bound to rely and upon which he did rely.

The Court—I think the juryman must stand aside.

THE THIRD JUROR.

Edward A. Smith was the next juror examined.

The court suggested that as the official stenographer had some difficulty in hearing the jurors previously examined, they take a chair nearer the Bench. It was so arranged.

Judge Fullerton—Where do you reside? A.—No. 188 Livingston street.

Q.—What is your business? A.—Cigar manufacturer.

Q.—Where is your place of business? A.—No. 11 Bowery, New-York.

Q.—And you reside in this city? A.—Yes.

Q.—How long have you resided in Brooklyn? A.—All my life.

Q.—How long have you carried on business in New-York? A.—About nine years.

Q.—Have you read anything in regard to this controversy? A.—I have, Sir, but I was in the country during the Summer months.

Q.—Have you been in the country during the past year? (Mr. Fullerton understood the juror to say that he had been out of the country.) A.—I was in the country during the Summer for a few weeks.

Q.—Did you live in this country during the last year? A.—Yes, Sir. I have been in this country.

Q.—What have you read in regard to the controversy? A.—I have read the several statements that appeared in the papers.

Q.—What papers? A.—The morning and evening papers.

Q.—Have you conversed with any persons in reference to this case? A.—I have, Sir.

Q.—Held discussions? A.—Yes, Sir; more or less.

Q.—In which you took part? A.—Yes, Sir.

Q.—Have you formed any opinion in this respect? A.—I have.

Q.—A decided opinion? A.—Yes, Sir.

Q.—And you entertain that opinion now? A.—I do.

Q.—An opinion in regard to the controversy? A.—Well, an opinion in regard to the guilt or innocence of the parties.

Mr. Evarts—We submit it to your Honor that this juror is not qualified.

The Court (to juror)—Stand aside. I wish to announce to you and the jurors who have been examined before that they will, with as little noise as possible, pass into the next room.

THE FOURTH JUROR.

William V. Williamson was the next juror drawn and examined.

Mr. Beach—Mr. Williamson, have you formed any opinion as to the controversy in this case? A.—I have.

Q.—And formed it upon the publications in the newspapers? A.—Yes, Sir.

Q.—Have you also discussed the question involved in it? A.—Not materially. I merely mentioned it among those I have an acquaintance with.

Q.—Have you expressed your opinion to your associates? A.—I think I have.

Mr. Evarts—We submit it to your Honor that this juror ought to be excluded.

The Court (to juror)—Do you entertain that opinion still? A.—Yes, Sir.

The Court—Stand aside, Sir.

THE FIFTH JUROR.

Maurice Cohen was then drawn.

Mr. Morris—Mr. Cohen, where do you reside? A.—No. 137 Sixth street, Williamsburg.

Q.—What is your business? A.—I keep a luncheon-room.

Q.—Have you read anything of this controversy between Mr. Beecher and Mr. Tilton? A.—Some of it.

Q.—In what papers? A.—In the German papers.

Q.—What have you read concerning it? Do you recollect? A.—I believe concerning the committee.

Q.—Did you read the report of the committe. A.—Yes, Sir.

Q.—Well, from what you have read, Mr. Cohen, have you formed an opinion as to the truth or falsity of the charges? A.—I have not.

Q.—Have you talked with any persons concerning it? A.—Yes, Sir.

Q.—Have you expressed any opinion with them? A.—No, Sir.

Q.—What was it you read in the German papers? You say it was concerning the committee. What was it concerning the committee? A.—I cannot think of it any more.

Q.—Have you read any statement made by Mr. Tilton or Mr. Beecher? A.—I read Mr. Beecher's.

Q.—In what paper did you read that? A.—In the *Staats Zeitung*.

Q.—Did you think the statement was true when you read it? A.—I did not have any opinion about it.

Q.—Did you read all the statement? A.—No.

Q.—How much of it did you read? A.—I cannot tell you that.

Q.—Didn't you form any opinion on the subject at all? A.—No.

Q.—Did you receive any impressions from what you read as to whether it was true or not? A.—No.

Q.—Have not you expressed any opinion to parties to whom you talked about the matter? A.—No; I heard others express opinions.

Q.—Did you express any opinion as to whether their opinions were correct in your mind? A.—Well, some of it.

Q.—Did they express any opinions as to the truth of the charge, or whether it was not true. A.—Yes, Sir.

Q.—And you believed the expression of some of these opinions to be true? A.—Certainly.

Q.—Did you believe them to be true? A.—No; that is more than I can tell you.

Q.—Has anything occurred to remove the opinion you formed at the time? A.—No.

Q.—Well, then, you have that opinion still? A.—Yes, Sir.

Q.—And do you think it would require some evidence to remove that opinion? A.—I cannot tell.

Q.—You would not change your opinion without some evidence? A.—I think not.

Q.—Then it would require some evidence to remove that opinion? A.—Yes.

Mr. Shearman—We assent that the juror stand aside.

The Court—Stand aside.

THE SIXTH JUROR.

John H. Myer was the next juror called for examination.

Mr. Morris—Where do you reside? A.—In Schermerhorn street.

Q.—What is your business? A.—The grocery business.

Q.—Have you read anything concerning the facts of this case? A.—Sometimes.

Q.—Didn't you read the papers all the time? A.—I did not read the papers all the time.

Q.—But you have read something about it? A.—Yes, Sir.

Q.—And you heard people talk about it—heard them express opinions? A.—Yes, Sir.

Q.—From what you read about the matter did you form any opinion? A.—No; I don't know.

Q.—Do you understand English well? A.—Pretty well—pretty good; yes.

Q.—Did you understand the question I asked you: whether you have formed any opinion in reference to that case? A.—No, Sir.

Mr. Shearman—I think the gentleman would not be sufficiently familiar with English to act as a juror.

The court ordered him to stand aside.

THE SEVENTH JUROR.

The next juror examined was James T. Bolk.

Mr. Morris—Mr. Bolk, where do you reside? A.—I reside at No. 113 Henry street.

Q.—What is your business? A.—A bookseller.

Q.—Where is your place of business? A.—In Fulton street.

Q.—Have you read anything concerning this case? A.—Pretty much everything.

Q.—Have you formed an opinion as to the merits of the case—as to the truth or falsity of the charge? A.—Well, yes; I suppose I have.

Q.—You have that opinion still? A.—Yes, Sir.

The Court—Stand aside.

THE EIGHTH JUROR.

James Schultz was then called and examined

Mr. Morris—Where do you reside? A.—At No. 1,143 Fulton avenue.

Q.—What is your business? A.—Confectioner.

Q.—Have you read the statements published in reference to this case? A.—I read what was generally printed in the papers.

Q.—What papers did you read

these letters and statements and have been conversing ever since on the subject and have formed no opinion? A.—No decided opinion.

Q.—What do you mean by a decided opinion? A.—I mean that I had no opinion in which I could make a sound judgment.

Q.—Did the letters you read of Mr. Beecher and Mr. Tilton not influence your opinion as to the truth or falsehood of the charges? A.—No; because they were not in the shape that I could base a decided judgment upon them. That is, they were not legal evidence. They were not in such form as I would base a judgment in a court like this.

Q.—Do you mean that you had no idea as to whether they were true or not? No impression upon the subject? A.—No; I cannot form an opinion.

Q.—I am asking you for an impression. You have stated your opinion for the purpose of drawing out the opinions of others? A.—I think they were no opinions as to the merits of the case. That is what I mean, because the evidence has been so mixed that it cannot be separated.

Q.—You mean this, Mr. Robinson, that evidence might be given in a court which would alter these opinions? A.—I think that you cannot form your judgment on the evidence.

Q.—You do not assume the statements to be true or false? A.—No.

Q.—That is what you mean? A.—Yes, that is what I mean.

THE ELEVENTH JUROR FOUND COMPETENT.

Mr. Evarts—How long have you lived in Brooklyn? A.—Two years from the 1st of April last.

Q.—What is your age? A.—Fifty-six.

Mr. Evarts—I understand you have heard more or less of both side of this case; that you have talked more or less with people on both sides, and that you have no opinion concerning the merits of the question which rests on your mind as a determination on the subject? A.—Yes.

Mr. Evarts—We submit he is good juror.

Mr. Beach—I wish to know whether, as an intelligent gentleman, having read this case, and being so far interested as to test the opinions of others by the expression of different opinions of your own, you have formed no impression in regard to the truth or falsehood of the charge? A.—I suppose that those statements were partial, each individual presenting his own case in the most favorable way.

Q.—I wish you to answer the question whether, from all the discussion on the subject which you heard, you have received no impression as to the merits of this controversy? A.—I don't know whether I can answer without an explanation.

Mr. Beach—You can answer yes or no. My question is whether you had so much discussion without having received any impression?

Judge Neilson—Say yes or no.

Mr. Beach—I merely want to know whether, as an intelligent gentleman and an observer of events, you have received no impression on your mind in regard to the truth or falsity of the charges against Mr. Beecher? A.—I don't think I have.

Q.—I want you to answer the question definitely? Mr. Tracy—We submit that he has answered the question. He said he formed no opinion.

Judge Neilson—He said he did not think he had. [To the juror]—Say yes or no.

Juror—With the explanation I have already given, I say no.

Mr. Beach—Have you any bias in favor of one or other of the parties? A.—No.

Q.—No prejudice one way or the other? A.—No.

Q.—Do you know of anything that would influence your opinion as a juror beyond the evidence in the case? A.—I don't think that I do.

Q.—You say you could, without prejudice or bias, sit and act as a juryman in the case? A.—Yes.

Q.—Perhaps it is repetition, but I would like to put the question whether, when you expressed the opinion on this subject, you believed that opinion—whether it was a sincere opinion. I ask permission of the court to repeat that question. A.—It was not an opinion I expressed, but simply a remark passed to see what reply I could get.

Q.—Then do I understand you to say that you never expressed an opinion of your own?

Judge Neilson—I think he means to say that he has never expressed anything that he could call an opinion, but lawyer-like, he has put it argumentatively. [Laughter.] I think this is a competent juror. Let him be sworn.

Ex-Judge Fullerton—It is understood that the right of peremptory challenge is reserved until the panel is full.

Judge Neilson—Then, Mr. Robinson, you can stand aside, and attend to-morrow morning at 11 o'clock. You are not to speak to any one in reference to this case, and if any one speaks to you on this subject, you are to report it to me, that proper punishment may be administered.

THE TWELFTH JUROR.

Mr. S. V. B. Livingston was the next juror drawn. He was examined as follows:

By Mr. Fullerton—What is your occupation? A.—Druggist.

Q.—And where do you carry on your business? A.—I have several places. My principal one is No. 231 Grand street.

Q. Have you carried it on for some years? A.—Nearly twenty-four.

Q.—You have read, I suppose, of this controversy—more or less? A.—The greater part of it.

Q.—And talked about it a good deal? A.—Yes, Sir.

Q.—Have you formed an opinion? A.—Yes, Sir.

Q.—And you entertain that opinion still? A.—Yes, Sir.

The Court—You may stand aside.

THE THIRTEENTH JUROR.

Mr. Edward F. Daly was the next juror called. He was examined as follows:

By Mr. Beach—Have you formed any opinion in regard to the merits of this case? A.—No, Sir.

Q.—What is your business? A.—I have been in the liquor business. At present I am not doing anything.

Q.—When did you retire from that occupation? A.—Two months since.

Q.—What was the nature of your liquor business? A.—Retail trade.

Q.—Where was it conducted? A.—Where I reside, No. 288 Atlantic avenue.

Q.—What is your age? A.—I am in my twenty-fifth year.

Q.—A man of family? A.—Married, do you mean?

Q.—Yes? A.—No, Sir.

Q.—Have you read the public accounts of this controversy? A.—Newspaper accounts I have.

Q.—Have you read pretty thoroughly the several publications on the subject? A—Some of them.

Q.—Have you read the statements by the different parties? A.—Some I have.

Q.—How early did you commence the reading? A.—The first knowledge I have of the matter was something regarding Dr. Bacon receiving a letter, but my ideas regarding it are not very clear.

Q.—Did you observe the proceedings of the committee? A.—I read some of the evidence that was produced there.

Q.—Did you read the report, or any part of it, of the committee? A.—I did not, though I afterward understood what the gist of it was—what it amounted to.

Q.—Have you felt sufficient interest to talk to your companions or associates about it? A.—I have talked some and have heard many others talk.

Q.—Were these discussions of the merits of the question of the truth of the charges made against the defendant? A.—Generally they were a matter of belief between the two parties.

Q.—Did you participate in those discussions? A.—Occasionally.

Q.—Did you concur with or dissent from the opinions expressed by others? A.—I generally concur with them; I make it a point to agree with almost any one.

Q.—Your opinions are somewhat flexible? A.—I very seldom form them until I know what I am thinking about; it is such a mixed-up arrangement.

Q.—Those times you heard those opinions you did not know exactly what you were thinking about? A.—I knew exactly what I was thinking about; I did not care to let everybody else know it.

Q.—Still, you did concur in the opinions expressed? A.—Most assuredly; if any one said such and so was the case, I let them have their way rather than say it was not true.

Q.—Do I understand you to say that you expressed your concurrence? A.—I would acknowledge that what they said was true.

Q.—Do I understand you to say that you expressed your concurrence in the opinions that were advanced? A.—I expressed my belief that what they said was true.

Q.—I understood you to say that you expressed your agreement or concurrence with the opinions expressed by others? A.—I expressed to them that what they said was true.

Q.—Do not you understand what agreeing with an opinion expressed by another is? A.—I believe I do.

Q.—I understood you to say that you expressed an agreement with the opinions you heard from time to time? A.—If I said so I think it is a mistake.

Q.—You mean to say that you did not express any agreement in the opinions which you heard uttered by others? A.—That I did not express my agreement with them? I most certainly said that I let everybody have their own way, that I would agree with them rather than argue with them.

Q.—If a person expressed his opinion on the merits of this matter, you said to him you would let every one have his own way? A.—If they thought Mr. Beecher was guilty, I would admit it (laughter;) if they thought he was not ——

Q.—Do you mean to say that that has been your course of action when you have heard this subject talked about? A.—It has been my course from the very beginning.

Q.—And was that course necessitated at all by your own mental conclusions in regard to the case? A.—My own mental conclusions were that it was a mixed-up arrangement generally, and that I could not possibly get at the truth of the matter. I did not feel that I could get at the truth of the matter in any account I ever read.

Q.—Then you have reflected considerably upon the case? A.—When I have had leisure and time to think and nothing else to think about, I generally thought about it.

Q.—Did that frequently occur? A.—It might occur once in the day that if I took up a newspaper and so saw the case I maybe read it and thought about it.

Q.—Dreamed a little over it? A.—Might dream if I fell asleep. I do not dream if I am awake, though. [Laughter.]

Q.—Did you make any effort to satisfy your mind as to the truth of these publications and opinions? A.—That is what I read for.

Q.—Read for? A.—Read for the purpose of ascertaining the truth.

Q.—But you found it was so mixed and muddled that you could not reach any conclusion? A.—Both men are—or seemed to me—prominent men; they tell contradictory stories—cannot believe both —[laughter]—cannot believe either. [More laughter.]

Q.—In your efforts to reach a conclusion upon this subject these contradictory statements left you in a state of mental confusion? A.—Hardly, hardly.

Q.—You were not confused upon that subject? A.—Well, I may have been confused regarding my ideas of what those gentlemen represented as being facts.

Q.—That is what I meant? A.—My ideas were confused about the matter which of them was guilty—which of them was telling the truth. I could not say to myself that either of them was telling what I believed to be true—I could not say that.

Q.—In your pursuit after knowledge, which was somewhat difficult in this case, did you read Mr. Beecher's statement? A.—I am inclined to think I did not—that I missed that.

Q.—Did you read Mr. Tilton's statement? A.—I did.

Q.—His last statement? A.—(After a pause)—I think I did.

Q.—Did you read any other statement made by other persons in regard to it? A.—I read Mrs. Tilton's.

Q.—Did you read any of the testimony before the committee? A.—I did.

Q.—Do you recollect what portion of that testimony you read? A.—I do not; I cannot recall any of it that I could positively say that I did.

Q.—Did you regard that testimony as under any more solemn sanction than publications in the papers? A.—I thought that it should have more weight.

Q.—You gave more weight to it, of course? A.—Most assuredly.

Q.—Did not that succeed in any degree in removing the difficulties under which you labored? A.—It did not.

Q.—You formed no impression from that? A.—No impression that would justify me in saying that the charges were unfounded.

Q.—I understand you, then, to say that from all your investigations into this subject, and discussions concerning it, you have formed no opinion in regard to the merits of the case? A.—No opinion.

Q.—Have you received any impression in regard to this matter? A.—I have an impression; no opinion.

Q.—Can you give us any idea as to the strength of that impression—whether it would require evidence to remove it? A.—The only way that I could give a satisfactory answer to that would be almost to go over the whole thing.

Q.—You need not express the nature of your impression. Perhaps I can put it in a more sensible way. I want to know whether that impression which you say you have received is of such a character as to influence the action which you might be called upon to take as a juryman in this case—whether it prejudges the matter to such an extent as to create a tendency or bias upon your mind in favor of one or the other conclusion? A.—I think from what I have read—you want me to tell you if what I have read would influence me in any way?

Q.—Whether from what you have read the impression you have formed is of such a character as would give your mind a bias or a tendency in favor of either party if you were called upon to act as a juryman? A.—I think it would—the impression that I have received—there is something in it. [Laughter.]

The Court—You may stand aside.

THE FOURTEENTH JUROR.

The next person called was Griffin B. Halstead, No. 6,147 on the general panel. He was questioned by Ex-Judge Morris as follows:

Q.—Where do you reside? A.—No. 340 Pacific avenue.

Q.—What is your business? A.—Hardware manufacturer.

Q.—Have you read anything concerning this controversy? A.—I have.

Q.—Have you formed an opinion in reference to the merits of this case? A.—I have not.

Q.—What have you read of the controversy? A.—Most of the publications of the matter.

Q.—From what you have read of these publications, have you formed any impressions in reference to the case? A.—I do not understand that question.

Q.—I say have you formed any impression from what you have read as to the truth or falsity of the accusations of Mr. Tilton? A.—I think at the time some of them did.

Q.—Has anything occurred since to remove those impressions? A.—Well, only by being similarly impressed by papers from the other side.

Q.—What do you mean? I do not understand by your being similarly impressed by papers from "the other side." Which did you read first—which side? A.—I do not know that it would be proper for me to answer that question.

Q.—What have you read upon the subject? A.—I have read Mr. Tilton's letters to Dr. Bacon, and I think about that time the reply from Mr. Beecher, if I am not mistaken.

Q.—Did you read Mr. Tilton's last statement? A.—I think so.

Q.—I mean the long statement that he made—the last long statement? A.—I think I did.

Q.—But what else have you read upon the subject? A.—I do not remember any other of the matter published, with the exception of the editorial comments in the newspapers.

Q.—What papers were you in the habit of reading? A.—THE TIMES and our daily Brooklyn papers.

Q.—The Brooklyn *Eagle*? A.—The Brooklyn *Eagle* and the *Union*.

Q.—Now, I understand you to say, from what you have read, the statements, editorial comments, and so on, that you have formed an impression with reference to the merits of this controversy? A.—Impressions I have formed.

Q.—And those impressions abide by you now; I mean you have those impressions now? A.—I have several impressions now.

Q.—And it would require some evidence to change those impressions, would it not? A.—It may.

Q.—You have conversed with parties upon the subject? A.—Frequently.

Q.—You have expressed in conversation your impressions upon the subject to parties with whom you have conversed? A.—I think not.

Q.—You have heard others express their opinions? A.—I have; yes, Sir.

Q.—And have you on those occasions either concurred or dissented from the opinions thus expressed? A.—I have generally dissented from them.

Q.—And did you dissent from the opinions because your impressions were of a different character? A.—Not always, Sir.

Q.—Sometimes? A.—I cannot recall a case when I did.

Q.—You say others expressed their opinions, and you dissented? A.—I do not think I did. I said I dissented. I told others with whom I conversed that we could not judge from these *ex parte* statements as to the guilt of the parties.

Q.—Do you belong yourself to any denomination? A.—Yes, Sir.

Q.—To what church do you belong? A.—The Methodist Church.

Q.—I understood you to say that in reading these various statements and comments you formed impressions which abide with you at this time? A.—I do not wish you to understand me so. I said I formed an impression, not impressions.

Q.—Well, those impressions still abide with you? A.—I suppose I have them; yes, Sir.

Q.—Have you any bias or feeling one way or the other that would at all influence your action as a juror? A.—No, Sir.

THE JUROR ACCEPTED.

Ex-Judge Morris—We withdraw the challenge.

Judge Neilson—This seems to be an acceptable witness as he now stands. Do you wish to accept the juror?

Mr. Evarts—We accept the juror.

THE FIFTEENTH JUROR.

The next juror called, No. 5,828, was Stephen Lewis. In answer to questions by Ex-Judge Fullerton he responded as follows:

Q.—Where do you live? A.—No. 744 Willoughby avenue.

Q.—What is your business? A.—Grocer.

Q.—How long have you resided in Brooklyn? A.—About fifteen months.

Q.—And before that where did you reside? A.—In New-Jersey.

Q.—Have you read anything in regard to this controversy? A.—Yes, Sir.

Q.—Have you read all that has been published in regard to this controversy, or nearly all? A.—I have not read all, but nearly all.

Q.—Have you formed any opinion in regard to the merits of the case? A.—I cannot say that I really have formed an opinion.

Q.—Have you formed such an impression as would interfere with your deciding the case according to the evidence, under oath? A.—I think not.

Q.—Do you attend divine service in Brooklyn? A.—I have in Brooklyn more or less when I am home, which is about once a month. I go to church when I am home.

Q.—Do you attend church in Brooklyn. A.—Yes, Sir.

Q.—Where? A.—The Methodist Church, Tompkins avenue.

Q.—Are you a communicant of that church? A.—I do not believe I am. Most of my family are. I have not joined as yet.

Q.—Are you acquainted with either of the parties to this controversy? A.—I have seen Mr. Beecher twice, and I heard him preach. I saw Mr. Tilton to-day for the first time.

Q.—How long has it been since you heard Mr. Beecher preach? A.—About two months ago.

Q.—After this a controversy commenced? A.—Yes, Sir, I went twice; some friends of mine came in from the country and wanted to hear him preach, and I went with them; that was two months ago, or it might have been a little more.

Ex-Judge Morris—We withdraw the challenge.

THE JUROR ACCEPTED.

Mr. Evarts—Q.—Do I understand you to say that you have visited Brooklyn only once a month? A.—Generally not less than that; sometimes once in six weeks.

Q.—You remained a greater part of that time in New-Jersey? A.—Yes, Sir.

Q.—Is your family here? A.—Yes, Sir.

Q.—And they remain here all the while? A.—Yes, Sir.

Q.—Did you say you had formed or expressed any opinion with regard to this controversy. A.—I think I have not expressed any opinion.

Q.—Have you formed any opinion? A.—No, Sir, I think not. I think I have said this: That I presumed every man innocent until he was proved guilty.

Q.—Have you heard this matter discussed in your own family or elsewhere? A.—I have never in my own family. I have in my store occasionally.

Q.—That is, your store in New-Jersey? A.—Yes, Sir; not in my store, but in the country. I travel about the country a great deal collecting bills, and selling goods, and I have heard it expressed there.

Q.—Do you, then, consider your mind substantially free from any feelings influence, or bias toward either one of the parties in this cause? A.—I think so. I think I could decide as well for one as for the other, if the testimony were sufficient.

Mr. Evarts—We accept the juror.

The next juryman called was No. 5,958, but pending his examination the court adjourned until 11 o'clock to-morrow morning.

Prior to the adjournment, however, Judge Neilson addressed the following remarks to the members of the bar and spectators present:

I desire that counsel engaged in this case should remember that it has commenced under many difficulties from the crowded condition of the court-room. I trust, however, this may be pardoned as they were entirely unforeseen. I hope by to-morrow more proper arrangements will be made for the accommodation of those most deeply interested in the trial, and in the meantime, until the jury shall have been empaneled, the reporters will have to submit to the many inconveniences which now surround them. The jurymen who have been selected will report at this court room to-morrow at 11 o'clock A. M.

SUIT AGAINST THE IMPERIAL FIRE INSURANCE COMPANY.

On the night of the 6th of February, 1871, an oil train was thrown from the bridge south of New-Hamburg on the Hudson River Railroad. One of the cars was overturned upon the up track. The express train for Albany ran into this car, which caught fire from the locomotive, and the baggage car and three sleeping cars and locomotive of the express train were destroyed. Several lives were also lost. The American Merchants' Union Express Company had merchandise on the train valued at $23,000, which was destroyed. This property was insured in the Imperial Fire Insurance Company, of London, for $18,000, and the insurance company having refused payment, suit was brought by the express company in the Court of Common Pleas to recover the amount. The suit was removed to the United States Circuit Court, as the defendant is a foreign corporation, and yesterday it came on for trial before Judge Wallace. The defense is two-fold—that the insurance company is not liable by virtue of a clause in the policy, that it is not to be responsible for loss occasioned by petroleum oil taking fire; and that the suit is barred by limitation, not having been brought within one year after the loss was sustained. It was contended by counsel for the express company that the exemption of the fire insurance company from liability, in relation to fires from petroleum, could not extend to cases other than those in which the policy-holder permitted petroleum to be stored or kept near his goods, and that the fact of the suit not being brought within the year was owing to unnecessary technical obstructions interposed by the insurance company. The case will be resumed this morning.

TESTIMONY IN THE CIGAR SMUGGLING CASE.

The trial of David P. Harris, a Custom-house Inspector, on the charge of smuggling cigars into this port, was continued yesterday, in the criminal branch of the United States Circuit Court, before Judge Benedict. It is charged that Harris, acting in collusion with Avellanet, a Spaniard who came to this country originally as interpreter to Gen. Prim, was in the habit of "passing" smuggled cigars brought by Avellanet to this port on steamers from Havana, and that 52,000 were smuggled; there having been 10,000 "passed" at one time, 10,000 at another, 12,000 at another, and 20,000 on the last occasion. The last lot was seized on Dec. 4, 1874, after having been landed at Pier No. 13 North River, from the steamer Crescent City.

Ex-United States District Attorney Courtney, counsel for Harris, opened the case for the defense. J. F. Chamberlain, President of the Franklin Savings Bank, of this City; W. S. Johnston and Richard Kenworthy, of Poughkeepsie, where Harris resides, testified that his reputation for honesty was very good. John H. Demond, a Custom-house Inspector, who contradicted testimony of Avellanet, that he (witness) in the presence of Harris had arranged to "pass" smuggled cigars from the steamer Columbus, was asked by Assistant District Attorney Purdy whether he had ever in his official capacity either directly or indirectly received any article of value for "passing" smuggled goods. Objection was made to this question, and sustained on the ground that the witness was not on trial. Witness also testified that Harris was not in this City on the 25th and 26th of April last, on one of which days Avellanet had testified that he was introduced to Harris in the City. Custom-house Inspectors George C. Kibbe and George I. Williams contradicted Avellanet's testimony regarding Harris and Demond, and the case was adjourned till this morning, to be summed up. A civil suit has been commenced in the United States District Court to condemn the 26,000 cigars seized at Pier No. 13, after being landed from the Crescent City.

OUR STATE FINANCES.

ANNUAL REPORT OF THE CONTROLLER.

HOW THE SINKING FUND WAS DEPLETED—EXTRAVAGANT EXPENDITURE ON PUBLIC BUILDINGS—THE FUNDED DEBT—THE CANALS—THE STATE PRISONS—MISCELLANEOUS MATTERS.

The annual report of the State Controller, exhibiting the condition of the finances of this State at the close of the fiscal year ending 30th of September last, was presented to the Legislature yesterday. The Controller, in alluding to the large and increasing rate of taxation for the last fifteen years, points out the causes which have operated to increase the taxes, embarrass the finances, and distress the people. In 1860 the rate of taxation was about four mills upon the dollar of the State valuation, and in the following five years, including the period of the war of the rebellion, it had increased to five and one-quarter mills, and every year since that date the rate has been largely in excess of what it was at any time during the rebellion. County, town, and city indebtedness rapidly increased, and in the eight years following the war this indebtedness amounted to over $214,000,000. The State bounty debt, amounting to upward of $27,000,000, was created by the Legislature immediately after the war, nominally to pay off the bounties to the volunteer soldiers who enlisted in the military service of the United States during the rebellion, but only an inconsiderable part of this sum is believed to have reached the soldiers who were actually engaged in the contest, the whole amount having been absorbed by counties, towns, and claimants of all types of character, the distribution of some parts of it being in litigation to the present day. The Legislature provided for an annual tax of two mills on the dollar on the assessed valuation of the State for the payment of the interest and the redemption of this bounty debt at maturity in April, 1877. After the creation of the bounty debt there was begun the erection of various public buildings throughout the State, the cost of which will not be under $30,000,000. Of these buildings the new Capitol was the only one that was thought of sufficient importance to be named in the tax levy, the appropriations for all the others being, the Controller says, without the authority of law, paid from a depleted general fund, and from the proceeds of the two-mill tax, levied for the redemption of the bounty debt, which was sacredly pledged to that object by the Constitution. No relation whatever seemed to exist between the appropriations and the tax levy, the appropriations far exceeding the tax each year, thus embarrassing the State, compromising its credit, and paralyzing its business by reckless expenditures without a corresponding revenue. To such an extent had the money belonging to the sinking funds been diverted and used in the payment of extravagant appropriations, not included in the Tax Levy, that in 1872 a deficiency was found to exist in them of nearly $7,000,000. The Legislature of that Winter, upon being informed of this deficiency, authorized a special tax of three and a half mills on the dollar to cover it, and yet the appropriations made by the same Legislature exceeded the amount of its authorized tax by more than $1,500,000. Having thus shown how the sinking fund was depleted, the Controller says he sees no possible way for the abatement of these taxes so long as new and expensive enterprises are brought forward and encouraged, and old ones that richly deserve the public reprobation are sustained and patronized by the Legislature. One thing, he says, is inevitable: the taxes must be continued as high or higher than they are at present, or the large appropriations at each session, especially for public buildings, must be discontinued or suspended until the general fund and bounty debts are paid off and discharged.

The Controller next refers to the estimated expense of the new Capitol and the asylums at Poughkeepsie, Buffalo, and Middletown, and says that the probable ultimate cost of each of the institutions named will be from four to six times the original estimate. The last Legislature, to avoid as far as possible further reckless expenditure on asylums, provided for the appointment of Superintendents in place of the Managers, who have heretofore had control of the erection of these buildings. Further details are given respecting the management of reformatories and asylums; and again referring to the expenditure upon the new Capitol, he says that no matter what we may think of the folly of the original plan of this building, the structure is so far advanced and is of such vast proportions, that some provision should be made for the continuance of the work in the early Spring, or serious damages by the elements will occur to the walls; but before any further expenditure is incurred, he recommends that the Legislature ascertain and determine whether it is being erected in pursuance of any plan or style authorized by law. The Controller gives the total funded debt of the State on 30th September, 1873, as $36,224,406 40, which is classified as follows: Bounty, $20,815,000; canal, $11,352,889; general fund, $1,986,526 40, and contingent, $68,000. On the 30th September, 1874, the total funded debt was $30,199,456 40, as follows: Bounty, $15,912,500; canal, $10,240,439; general fund, $3,988,526, and contingent, $58,000. The actual reduction of the State debt during the fiscal year, by cancelation of matured stocks and $4,902,500 of Bounty Loan 7s of 1877, purchased for the Bounty Debt Sinking Fund, is $6,024,950.

In speaking of the canals, he says that although the gross income from all the canals for the last year is less than that of the preceding year, the exhibit of the income and expenses shows a gratifying result. The gross receipts last year were $2,921,721 74, against $3,021,527 78 the previous year, but the income in excess of all disbursements for the past year was $225,364 44, while for the year 1873 the disbursements exceeded the income by $176,023 99, showing an actual increase in the revenue from this source for the year 1874 over that of 1873 of $404,388 53. He has no reason to doubt that the canals will continue to be the source of increased and increasing revenues to the State if the expenses of superintendence and repairs are kept within reasonable and proper limits. On the question of the sale of the canals, he says that the old Constitution provided that they should remain the property of the State forever, but the Constitution, as amended, applies that construction only to the Erie, the Oswego, the Champlain, and the Cayuga and Seneca Canals, and leaves with the Legislature the power to sell, lease, or abandon any or all the others.

The revenue for the year shows a deficiency of $1,382,739 90, the receipts having been $21,941,603 63, and the expenditures $23,324,339 53. The expenditures comprise $9,897,212 53 deficiency of the general fund revenue on October 1, 1873; $8,830,729 14 warrants drawn on the treasury during the year 1874; and $4,174,067 72, amount transferred to the Bounty Debt Sinking Fund, being the proceeds of the two mill tax levied in 1873. The 69-100 mill deficiency tax authorized by the last Legislature, added to $340,000, the balances due from County Treasurers, and the $200,000 from surplus canal revenues last year, will nearly provide the means to pay last year's deficiency.

The Controller next gives a statement showing the expenditures in certain departments for the years 1872, 1873, and 1874, and in speaking of the management of our State Prisons, he regrets that the article in the new Constitution, as proposed by the commission, was not adopted, as it would have placed the control of the prisons under one accountable head, removable only for incompetence, and who would have the power to bring all the prisons to a uniform system of discipline, and to rent the service of the convicts at a high rate for a long term of service. The proposed change would, he says, have resulted in making the prisons a source of large revenue to the State, instead of a constantly increasing burden to its people. Alluding to the fact that many prisons in other States, and some Penitentiaries in our own, are sources of large revenue, he recommends the passage of a general law by which the convicts in each judicial district may be sent to the Penitentiaries within such districts, or to any other Penitentiary that will receive them, at certain rates of compensation.

The Quarantine establishment in our bay is considered completed, and hereafter it will require but a comparatively small annual appropriation to keep it in repair. The hospital islands are so far out in the bay as to be no longer offensive to the inhabitants of Staten Island, and yet so situated as to afford perfect protection to this City from the approach of disease and pestilence by vessels or shipping from foreign ports.

Referring to the Inebriate Asylum at Binghamton, he says it is no part of a wise economy that so extensive a structure, with so large a farm should be continued as a State institution, at so much expense, for a mere boarding-house for a number not exceeding eighty intemperate men. Speaking of the United States Deposit Fund, he recommends that the investment of this fund be changed; that the amount loaned in the several counties on mortgages be called in as it becomes due, or by installments, as the Legislature may direct, and that the same be invested in public stocks.

The receipts from the Treasury on account of all the funds, except the Canal and the School Funds, for last year, were $26,465,370 43, and the payments, $19,636,308 36, leaving a balance in the Treasury of $6,829,062 07. The receipts on account of the general fund revenue for the current year are estimated at $7,534,518 81, and the payments, $7,187,994 78, leaving an estimated surplus of $347,424 03. The assessed value of real estate in the several counties, as given by the local Assessors, is $1,750,686,918, and the full value of the same is said to be $4,108,330,757, thus making the assessed value only forty-two per cent. of the actual value. The Controller recommends that the full, true, and actual value of the property of the State, as fixed by the State Board of Equalization, should be adopted as the basis of taxation, instead of that fixed by the ignorant and interested local Assessors.

SMUGGLED GOODS CONDEMNED.

Mlle. Leonie Juvin is now awaiting trial in the United States Circuit Court on a charge of having smuggled articles of wearing apparel into this port on board of the French steamer Ville de Paris, from Havre, while she was acting in her capacity of *modiste*. These goods consisted of silk, worsted, and cotton wearing apparel, silk in pieces, kid gloves, leather gauntlet gloves, artificial flowers, bead trimmings, cosmetics, and other toilet articles. Whether she smuggled on speculation or, as has been reported, the goods were smuggled to order at the request of ladies in high social position, has not yet been definitely ascertained, but the goods have been condemned by order of the United States District Court, and are to be sold by Marshal Fiske for the benefit of the United States Treasury. The condemnation took place yesterday, return of process having been made and no one venturing to appear and claim ownership of the attractive goods.

RAILROAD INTERESTS.

CONTEST BETWEEN THE BALTIMORE AND THE OHIO AND CINCINNATI ROADS—CUTTING RATES TO THE SOUTH-EAST.

From the Chicago Tribune.

There is a prospect of a war between the Baltimore and Ohio Railroad and what is known as the Kankakee and Pan-Handle Pool Line. The latter line is composed of the Kankakee Line and the Pittsburg, Cincinnati and St. Louis Railroad. These two lines are the only ones in this city leading direct to Cincinnati. Formerly they were fighting each other, and consequently rates to Cincinnati were very low. While this state of affairs was very acceptable to the public, it was very unsatisfactory to the roads themselves. They therefore pooled their interests, and ever since they have had their own way as far as rates to Cincinnati and the South-east were concerned. Since then the Baltimore and Ohio has been completed, which road has equal, if not better, facilities for the Cincinnati and the Southern trade than the pool lines. Consequently, much of the trade of these lines has been diverted to the Baltimore and Ohio Railroad. To keep even with their dangerous rival, the pool lines have lately made an arrangement with the Chesapeake and Ohio Railroad, forming the Great Southern Dispatch Line. By this arrangement, they can take freight from Chicago to Virginia and North Carolina at much lower rates than any other, and the new tariff, which was published in the *Tribune* a day or two ago is so low that no other road could possibly compete and make money. For example, the rate to Richmond, Va., via this new line, is forty cents per hundred on fourth class and grain, while the rate for the same articles is thirty-five cents to Baltimore. The rate to Norfolk, which is an Atlantic seaport, is forty-four cents by the new route, while the rate over the other lines to New-York is forty cents, making a difference of but four cents between New-York and Norfolk.

The Baltimore and Ohio is now considering measures to make their rates still lower than those established by the new line. And as the Baltimore and Ohio has an all-rail route, and the Great Southern Dispatch has to take its freight from Cincinnati to Huntington by steamer, there can be but little doubt of the result of the contest. But, beside having the best line, the Baltimore and Ohio has also the most money, and can stand the fight much the longest. It is stated on good authority that the new line was started in the interest of Tom Scott and the Pennsylvania Railroad. The Pennsylvania Railroad Company is the worst sufferer from the competition of the Baltimore and Ohio, and, therefore, every obstacle is thrown in the way of this road to prevent it from gaining a foothold. The Saratoga combination, it is claimed, was engineered by Mr. Scott for the same purpose, and Mr. Vanderbilt and the other magnates are beginning to see this. There is no longer any doubt that the New-York roads are ready to withdraw from the combination, and in less than thirty days Mr. Scott will have to fight the Baltimore and Ohio Railroad alone.

FREE PASSES AND COMMISSION ON THE SALE OF TICKETS—FREIGHT RATES.

That the Saratoga combination is virtually dead is best shown by the fact that the principal roads belonging to the combination are violating the agreement in every particular. They do not do this clandestinely, but quite openly. By the terms of the agreement no free passes, or passes at reduced rates, can be issued by any of the roads belonging to the combination. Most of the roads, however, declare that they shall do in regard to this matter just as they please. While none of the roads intend to issue free passes indiscriminately, as had been the custom a few years ago still they have signified their intention to give passes to such persons as the General Manager or Superintendent may deem entitled to such free rides. Some of these roads will also issue half-fare passes again to the clergymen. The Michigan Central Railroad has been the first of the combination roads to make this change. The following blank form has just been prepared by this road, which will have to be signed by the ministers requiring such passes:

APPLICATION FOR HALF-FARE PERMIT.

I hereby certify that I am a clergyman of the ——— Church, residing at ———, and ordinarily in charge of a congregation at that place as its settled Pastor: that I am solely engaged in the work and duties of a minister of the Gospel, having no other profession, occupation, or business, and that, in the event of removing from or resigning my present charge during the year 1875, or engaging in other business, I will return the half-fare permit furnished me on this application. Minister's signature ———.

Correct, ———, Agent.
———, Station.
———, 1875.

NOTE.—Permits are not furnished at the General Passenger office to clergymen outside of Chicago, except they are vouched for by the agent of the station where the applicant is located. Agents will keep a record of the permits received, and in the event of changes during the year 1875, will require the one previously issued to be surrendered, it being the intention to issue but one permit for each church, charge, or congregation. Permits are granted only to those clergymen who reside at stations on the line of this road, or at places immediately contiguous thereto, and not on the line of any other railroad. Agents will be governed by these instructions and not vouch for any one not coming within the rules.

Send this application to

HENRY C. WENTWORTH,
General Passenger Agent, Chicago.

But, not only is the Saratoga agreement violated in regard to free passes, but also in regard to the abolition of the payment of commissions for the sale of tickets. There are but few roads in this city that are not paying commissions in one way or other. The agreement in regard to the maintenance of freight-rates is no better observed than the other terms. Rebates and drawbacks are again allowed to shippers the same as formerly, and there is more competition between the different roads in the combination than there is between them and the Baltimore and Ohio. A certain road belonging to the combination only a few days ago made an agreement with a prominent shipper in this city to take to Glasgow, via Portland, a cargo of wheat at sixty cents, gold, per 100 pounds. This leaves but thirty-six cents, gold, from Chicago to Portland, while the current rate to that city is forty-five cents. It is the general opinion that this combination is a complete failure, and though the Commissioners still hold their office, they are entirely ignored.

FISH CULTURE—A PROPOSED EXPLORATION OF THE YANG-TSE-KIANG.

To the Editor of the New-York Times:

In your very interesting editorial of Thursday, Dec. 3, on the report of Prof. Baird, the United States Fish Commissioner, allusion is made to my letter of Sept. 22, on the propagation of shad by artificial means in China. Prof. Baird seems to think that my information is not in accordance with his investigations on the subject. He must be aware that it is very difficult to sustain his theory, from the fact that the great river of China is over 3,000 miles long, and above Hankow, 650 miles from Shanghai, it is virtually a sealed, mysterious, and closed river to all foreign trade. I have explored the river 1,000 miles from the sea, and I am now endeavoring to enlist the interest of scientific men in this city, and our men of capital with broad commercial views, in a thorough exploration of the river, under my supervision. We will then be able to settle this question of pisciculture, as well as a good many other scientific problems.

May I ask space in your columns to state that I propose this exploration, (to start from Shanghai,) in the interests of science, commerce, civilization, and Christianity, and I do not ask any pay or recompense for my services, but only a sufficient appropriation for the actual expenses of the exploration.

The development of the coal-fields of China would alone warrant an expedition. This coal area is upward of 400,000 square miles. In one of the provinces there are beds of 30,000 square miles, twelve to thirty feet thick; every kind of coal is found, hard and soft, bituminous and anthracite. Millions of tons are gathered by surface mining, but scientific mining is, I believe, entirely unknown.

Ships are dispatched every week from Cardiff and Liverpool with coal for California, a long and dangerous journey of 20,000 miles, and here are these vast coal fields of China—virgin fields—only 6,000 miles across the Pacific Ocean. If the Geographical Society, the Chamber of Commerce, the Pacific Mail, or any individual or society, with any facts, figures, or statistics, I should be glad to furnish them.

On the great river, the "Child of the Ocean," as the Chinese poetically term it, there are perhaps a hundred cities with dense populations, all eager for trade. In one place on the river the piscicultural nurseries line the banks for nearly fifty miles. Many drugs of great value are found. The so-called Turkey rhubarb; the Spanish fly, indigenous to the Western Provinces of China, sent across the plains of Asia centuries ago and painted in Europe; the castor-oil, so repulsive to the taste here, is as delicate there as the finest olive-oil, and is used for cooking fish. It is a wonderful land and full of mysteries. If Prof. Baird will accompany me, I will show him in Southern China a cotton-gin precisely similar to the one said to have been invented by the American Whitney! He will find all sorts of inventions and discoveries made forty centuries ago in Cathay, yet claimed to-day as the inventions of our race in Europe and this country. Even the familiar tobacco and potato, which Sir Walter Raleigh supposed were the sole productions of America, may be found growing wild in China, along with cotton, (short staple,) the sweet potato, the maize, white and yellow corn, and the familiar buckwheat, so dear to the average American (soaked in butter, fat, and syrup) in Winter time, and so bad for his poor stomach. All these grains and cereals were doubtless carried over Behring's Strait by the nomad tribes of the great Mongolian plains in some far forgotten period of the world's strange history, and the Chinaman of those ages became the ancestor of the American Indian of to-day.

In North China I can show Prof. Baird a most ingenious adaptation of means to the end in the shape of a peculiar barrow, with the wheel over the centre of the place for freight—perhaps a family of half a dozen or so or a load of these so-called American cereals—going to the market with these motive powers all working in perfect harmony, viz.: a donkey ahead tugging at the bamboo rope, a sort of lateen sail to catch the breeze that is always blowing over the vast plains of Mongolia and Manchooria and the patient Chinaman steering the unique affair, and aiding its progress, if necessary, by a trot of about four miles an hour.

There are vast problems to be solved in this the oldest empire in the world, with a sober, temperate, and industrious people of 400,000,000 of souls; but the development of the coal fields of the country and the introduction of our improved machinery, steam

The New York Times.

WITH SUPPLEMENT.

NEW-YORK, WEDNESDAY, JAN. 6, 1875.

AMUSEMENTS THIS EVENING.

LYCEUM THEATRE.—TWIXT AXE AND CROWN—Mrs. Rousby, Mrs. Isabella Waldron, Mr. G. F. Clarke, Mr. W. Edwards.

FIFTH AVENUE THEATRE.—THE PALACE OF TRUTH—Mr. Owen Fawcett, Mr. Louis James, Mr. G. F. Devere, Miss Carlotta Leclercq.

UNION SQUARE THEATRE.—THE TWO ORPHANS—Mr. John Parselle, Mr. C. R. Thorne, Jr., Miss Rose Eytinge, Miss Fanny Morant.

WALLACK'S THEATRE—THE SHAUGHRAUN—Mr. J. B. Montague, Mr. Dion Boucicault, Miss Ada Dyas.

PARK THEATRE.—THE GILDED AGE—Mr. John T. Raymond, Miss Gertrude Kellogg.

BOOTH'S THEATRE—LITTLE EM'LY—Mr. George F. Rowe, Miss Louise Henderson.

OLYMPIC THEATRE.—VAUDEVILLE AND VARIETY ENTERTAINMENT.

BARNUM'S ROMAN HIPPODROME.—EQUESTRIANISM, ATHLETICS—MENAGERIE—MUSEUM—Open afternoon and evening.

BOWERY THEATRE.—THE BLACK HAND—THREE DWARFS—Mr. Frank Jones.

WOOD'S MUSEUM.—DRAMATIC PERFORMANCE afternoon and evening. Curiosities.

ROBINSON HALL.—PERSONATION AND SONGS by Mr. Frederic Maccabe.

BRYANT'S OPERA-HOUSE.—MINSTRELSY—NEGRO DELINEATIONS, &c.—Mr. Seymour.

SAN FRANCISCO MINSTRELS.—MINSTRELSY and NEGRO COMICALITIES—Messrs. Birch, Wambold, and Backus.

METROPOLITAN MUSEUM OF ART.—EXHIBITION OF ANCIENT STATUARY, PAINTINGS, &c.

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This morning THE DAILY TIMES *consists of* TEN PAGES. *Every news-dealer is bound to deliver the paper in its complete form, and any failure to do so should be reported at the publication office.*

THE UP-TOWN OFFICE OF THE TIMES.

A new branch office of THE TIMES *has been established at No. 1,257 Broadway, between Thirty-first and Thirty-second streets, for the convenience of our up-town patrons, and is open daily, Sundays included, from 4 A. M. to 9 P. M. Advertisements and subscriptions received, and copies of* THE TIMES *for sale. Dealers supplied at 4 A. M.*

THE TIMES FREE OF POSTAGE.

We beg to state that Postage will be paid at this office, free, on all Editions of THE TIMES *sent to Subscribers in the United States, under the new Law which took effect on the 1st inst.*

It was unavoidable that the Louisiana question should very soon engage the attention of Congress; it is unfortunate that when it did so yesterday, it did not receive somewhat more thorough treatment. Mr. THURMAN introduced to the Senate a resolution of inquiry which, it seems to us, might properly have been passed promptly without qualification. It requested the President to inform the Senate whether the military had interfered with or sought to control the organization of the Assembly in Louisiana; whether any person claiming a seat in that body had been prevented by the military from taking it; and if these things had been done, by what authority. Mr. CONKLING proposed to modify the request by inserting the clause, "if not in his (the President's) judgment incompatible with the public interest." On this a debate of some bitterness and little point on either side sprang up, and the resolution went over. Why the Senate should not ask Mr. THURMAN'S question point-blank we do not see, nor can we conceive how the public interest should be injuriously affected by a frank answer. The query relates to acts done, and to the authority for them, and as to both the Senate and the country may very well desire much fuller information than is as yet attainable. Such information, it seems to us, is much more likely to advance than conflict with the public interest.

Gen. SHERIDAN'S dispatch of yesterday to the Secretary of War is a remarkable contribution to the discussion of the Louisiana matter. His suggestion that Congress might declare the leaders of the White League "banditti," and turn them over for trial to a military commission would, if adopted, unquestionably save a great deal of bother. But as a labor-saving contrivance such a law would be nothing compared to the course he proposes to the President, namely, a "proclamation" declaring the White Leaguers "banditti," after which, as he truly says, "no further action need be taken, except that which would devolve upon me [him.]" Of course, the Constitution of the United States and the practice of nearly a hundred years are opposed to the spirit of Gen. SHERIDAN'S suggestion. There is no power in the President to "proclaim" certain men "banditti;" and there is none in Congress to outlaw a class who, whatever their offenses, (and they are many and grave,) have thus far shown profound respect for the authorities of the United States. It is surprising that a very able graduate of West Point, and a soldier who has so gallantly and faithfully fought for the supremacy of the Constitution, should know so little of its requirements. But we must remember in judging him that he is in a situation to know better than any one else what difficulties the policy of the Administration must entail on a commander in his department. It is to be hoped, however, that Congress will find itself able to propose a more constitutional remedy for these difficulties than Gen. SHERIDAN'S, or else a policy that will avoid them.

The Congressional committee in New-Orleans yesterday examined somewhat the events of the day before. Gov. KELLOGG explained the immediate directions by which the troops were guided, and stated that they came from him—although it must be said that the Democrats first called in the troops to clear the lobbies of the Assembly. Gov. KELLOGG requested the Federal commander to eject the claimants to seats in the Legislature who were not acknowledged by the Returning Board, because he was informed that the Sergeant at Arms prevented his policemen from performing that office. On the whole, KELLOGG betrays a spirit far from admirable. He has neither the nerve nor the power to assert the prerogatives of the office which he nominally holds. He confesses that he could not sustain himself were it not for the assistance of the United States troops; and it is evident that, though his pretensions are large, the moment anything is to be *done* he calls on the Federal officers to do it. If it is a necessity for these latter to hold in his place so limp an imitation of a Governor, it must be a very disagreeable necessity.

The remarkable facts we published a few days since in regard to MARGARET, "the mother of criminals," are about to be presented formally by Dr. HARRIS in his report of prison visitation to the Legislature. The girl began her career of illegitimate maternity very early, some eighty-five years since, but the six generations of criminals and paupers of which we spoke have appeared within seventy years. The descendants of this girl and of two neglected sisters count up 480 criminal or pauper persons. These have intermarried with 143 others of like wretched character, and the total number of descendants now known, both living and dead, mainly convicts, paupers, criminals, beggars, and vagrants, is 623. We trust that the Doctor will present these momentous figures in the clearest manner. They will need no words to enforce their lesson.

Old Massachusetts will assemble her Legislature to-day for another of the six months' sessions which have now become quite common. A Democratic Governor is to be inaugurated, and a successor to the place left vacant in the United States Senate by SUMNER is to be chosen. These interesting events elicit some enthusiasm from all classes of citizens. The Democrats are not especially strong in either branch of the Legislature; and it is believed certain that Dr. LORING, of Salem, the Republican candidate, will be elected President of the Senate. The Republicans also expect to elect their candidates for officers of the House. The names of Mr. DAWES, of CHARLES FRANCIS ADAMS, and of Judge HOAR are mentioned for the United States Senatorship.

This is not a very good time to urge the necessity of increased salaries for any class of the servants of the nation, but there does seem to be several reasons why the case of the Judges of the Court of Claims should be regarded as a strictly exceptional one. This court is only second in importance to the Supreme Court of the United States, with which its jurisdiction is co-extensive. In 1855, when the Court of Claims was established, the salaries of the Judges were fixed at $4,000, the salaries of the Supreme Court Judges being then $6,000. Since that time $4,000 a year has been added to the salaries of the Judges of the Supreme Court, the pay of Congressmen has been raised from $3,000 to $5,000; even the Judges of the Supreme Court of the District of Columbia are now paid $4,000, instead of $1,600 as in 1855. Vacancies will shortly occur in the Court of Claims, and it is rather too much to expect that first-class lawyers can be found to take the positions with the salary at present attached to them. There are certainly no positions where incompetence, ignorance, or corruption will tell with so much effect against the Government, and the increased pay of these Judges is as clearly demanded by justice as by considerations of the most enlightened economy.

Another phase of the much-vexed Lange case has just engaged the attention of the Supreme Court, Judge VAN BRUNT presiding. Mr. EDWARD LANGE, convicted in the United States Circuit Court of an unlawful use of mail-bags, was erroneously sentenced by Judge BENEDICT, of that court. The first part of Mr. LANGE'S sentence having been fulfilled, the United States Supreme Court decided that the second part—imprisonment—was enforced without authority of law, and the prisoner was discharged. Thereupon he brought suit for false imprisonment. A demurrer was set up by the defendant, on the ground that a Judge was not liable in a civil action for damages, notwithstanding the commission of an error. Judge VAN BRUNT has overruled this demurrer, deciding that a Judge of a court of general jurisdiction makes himself liable to an action when he attempts to enforce a judgment which he knows to have been satisfied. This is a novel case, and its ultimate decision will be regarded as of special importance.

The organization of both Houses of the Legislature was effected yesterday without any striking departure from the usual routine. The new Lieutenant Governor made a brief and formal speech on taking the chair in the Senate. Speaker MCGUIRE "improved" the occasion in a much more diffusive and grandiose style in taking his place as presiding officer in the House. Apart from its inflation of tone and exaggeration of general statement, the speech was a fair enough indication that the new Speaker understands the special responsibilities of his position. He stated unequivocally that he had no misgiving as to his ability to "preside with the strictest impartiality, ignoring all partisanship, administer the rules with the utmost fairness, recognizing the rights of the minority, respecting the privileges of each individual member, and regarding and treating each as the peer of his fellow." If Speaker MCGUIRE acts up to the standard of conduct which he has thus prescribed for himself, nobody will be more ready to give him due credit for it than his political opponents.

THE GOVERNOR'S MESSAGE.

We hope that none of our readers will "skip" Gov. TILDEN'S first Message, which we publish in full in our supplement to-day. It is not too long; and even if it were much longer than it is, it would be a duty on the part of every intelligent citizen of the State of New-York to read it. It is full of suggestions upon which every man would do well to ponder, and there are special subjects which are treated with that wisdom which only comes of practical experience. We refer particularly to the part of the Message relating to breaches of trust committed by responsible officials. In the Tweed prosecution, Mr. TILDEN had the opportunity of making himself thoroughly acquainted with the practical working of the present laws. And he shows, in a very striking manner, the defects of those laws, and puts his finger on the points which most urgently demand revision. The Governor had ample means of detecting the loop-holes through which dishonest officials contrive to escape, and few men are better fitted to devise expedients by which these loop-holes may be stopped. This is not a portion of the Message which can be condensed with any advantage to our readers. Mr. TILDEN goes over the ground in a painstaking manner, and like a sound lawyer, but he is not unnecessarily diffuse. What he says ought to be read by everybody who takes a proper interest in the welfare of the State. "The problem of municipal government," as the Governor suggests—we must confess in rather stilted phraseology, of which, however, there are few examples to be found in the Message—"is agitating the intellects of all civilized peoples." One of the first conditions of good government is to get honest men in office and drive dishonest men out, and the present Governor of the State is well able to advise the people as to the alterations in the laws which are indispensable to that end. We therefore hope that our readers will not fail to read what he has to say on these subjects, and will not content themselves with merely looking over the general abstract of the Message which is given in these columns.

The canals of the State occupy a large share of the Governor's attention, as we hope they will continue to do throughout his term of office. They, like all other descriptions of public property, have too often been seized by jobbers and "Rings" of various kinds, and under Democratic rule our canals have suffered to a degree which we have no doubt Mr. TILDEN knows how to appreciate. If we may judge from his Message, he will set his face against similar operations in the future. It is a subject to which he has evidently paid great attention, and if he will fight against "Canal Rings," he will follow worthily in the steps of his immediate predecessor, Gen. DIX, and do more than some of our Democratic Governors have even tried to do. He recommends, as he has done before, the improvement of the waterway of the Erie Canal, and he hopes to see the introduction of steam canal-boats. A great part of the Message is occupied with a discussion of this subject, but it is space well used.

The financial policy of the country is also discussed at considerable length. Some part of this discussion is rather elementary in its character, but perhaps the truths set forth may be new to many persons. We have no desire to treat this or any other portion of the Governor's Message in a hypercritical spirit, and therefore we will not insinuate that Mr. TILDEN has given us a chapter in political economy which most intelligent persons have read, or ought to have read, long ago. It is perhaps as if Mr. TILDEN were to write a history of New-York, and begin with an elaborate description of the Deluge. The marrow of the whole question as concerns ourselves is, how shall specie payments be restored? And this Mr. TILDEN glides over as a matter "of detail." It is, however, a very important matter of detail, and since the Democrats have not yet told us how they are prepared to deal with it, we should have been glad to have received a tangible proposal from the Governor on the subject. No doubt it is no part of his duty to provide the country with a scheme for resumption; but he has asked us to a banquet, and when he removes the covers we find the dishes empty. Political economists often give us husks to eat, but Mr. TILDEN is perhaps the first who has invited the world to fill itself on wind. He attacks the Federal Government for its "want of efficiency and economy," and perhaps that will go quite as far with Democrats as a definite policy, more especially since it is beyond Mr. TILDEN'S power to suggest a policy which would be satisfactory to his party as a whole.

The state of the South is referred to in a spirit which might reasonably be looked for from a Democrat, but we cannot say that Gov. TILDEN expresses any extreme opinions. In fact, we do not think that any of our readers will be disposed to cavil at anything which is contained in the last two passages of the Message, but will rather hope that, if ever the Democratic Party returns to power, it will abide faithfully by the principles which the Governor suggests. Upon the whole, we may congratulate Mr. TILDEN on having sent in a very fair, sensible, and business-like Message; and we have only to hope that his acts and those of his party will do no violence to his promises and professions.

LOUISIANA.

The occurrences in New-Orleans on Monday were such as must fill the public mind with the most profound concern. It was hoped by all right-minded persons that the troubles of the last two years, with all their miserable complications, would be ended by the result of the election held last Fall. Bearing in mind the professed anxiety of both parties in the State to secure from the people a peaceful and conclusive settlement of the dispute, such a hope was not unreasonable. We are sorry to say that it has been completely disappointed.

When the hour for meeting of the Legislature arrived on Monday, it was found that in the Senate the Democrats declined to take any share in the proceedings, or even to attend, and that body was organized by the Republicans, who have a large majority in it. In the House, different tactics prevailed. The Returning Board had declared the election of one hundred and six members—fifty-four Republicans and fifty-two Democrats—leaving the cases of the remaining claimants to the House. Of these one hundred and six members, one hundred and two were present at the hour of meeting, fifty-two Republicans and fifty Democrats, as appeared by the roll-call, which was made by the Clerk of the previous House. Although in a slight minority, the Democrats managed to take possession of the Speaker's chair. One of their number proposed the election of their candidate as temporary Chairman "by acclamation," and declared the motion carried, whereupon that gentleman, a Mr. WILTZ, took the chair. A temporary Clerk and Sergeants at Arms were named. Five Democratic claimants, not indorsed by the Returning Board, were sworn in, and a motion was made and declared carried, to proceed to permanent organization. A ballot was taken, in which WILTZ received fifty-five votes, HAHN, the Republican candidate, two, and there was one blank cast by WILTZ, the total vote being two more than a quorum. Meantime the Republicans, declaring the proceedings illegal, endeavored to leave the House, but most of them were turned back by the Sergeant at Arms. Outside a crowd had gathered. A petition was sent to Gov. KELLOGG declaring that the House was in the possession of an illegal body, and asking that it be restored to the rightful members. This petition was signed by fifty-two members. The Governor determined to grant it, and, fearing, as he says, violence from the crowd, called in the United States troops. Col. DE TROBRIAND, in command of a file of twenty men, entered the House for the purpose of ejecting those not returned by the Returning Board, and accompanied by an officer of the State Militia, who pointed out these members. Against this action Mr. WILTZ protested, as did the claimants who were put out. When all but the members returned by the Returning Board were taken out by the soldiers, and the old Clerk of the House was put back in his place, the Democrats withdrew in a body.

This is an impartial, and, as nearly as we can make out the facts, a complete statement, of the main occurrences in connection with this unfortunate business. It discloses a state of affairs which no citizen can regard without regret and anxiety. For ourselves, we must say that the use which was made of the United States troops seems to have been an extreme exercise of power, and one for which the President, who is primarily responsible for it, must find it very difficult to show adequate authority. The United States guarantee to each State a republican form of government, and, on requisition, protection against domestic violence. In this case there was no recent requisition, and there was no actual violence. The Governor called in the troops in anticipation of his own helplessness, and engaged their commander in acts which have never yet been performed by a United States Army officer. The troops did not aid the State forces. They replaced them. We do not believe the country will regard such a procedure with approval. If it does, the consequences to our system of Government cannot be easily foreseen.

It will be seen from the dispatch of Gen. SHERIDAN that that officer looks upon the situation as very serious. He has taken command of the Department of the Gulf, and declares that the laws are defied, and that the State authorities are impotent to enforce them. Meanwhile, the Congressional committee are on the ground. They will have seen what is the result of Congressional inaction, and of the feather-headed policy of Mr. Attorney General WILLIAMS. Perhaps when they return they will be prepared to suggest some wiser course than has hitherto been pursued. It may strike them that we have drifted long enough, and that unless we are prepared to deal fairly with this question now, the difficulties in the way of doing so will become constantly greater. Certainly the situation in 1875 is not an improvement on the situation in 1873. It is much worse. And if the country disapproved the policy that grew out of the former—as we all know it did—what will it say to the policy that has led to and tolerates the latter?

THE CORPORATION COUNSEL.

The charges against E. DELAFIELD SMITH demand something more than a passing notice. Before the accused officer has had a chance of replying to them, it would be unfair to assume that they do not admit of explanation. But there can be no question about their gravity, about the apparently strong array of evidence by which they are supported, and about the satisfaction with which a large and respectable portion of the legal profession has received the action of Mayor WICKHAM. The idea of partisan *animus* may as well be dismissed from this question. Judging from internal evidence, these charges were drafted by one of the leaders of the legal profession in New-York, whose freedom from party bias in such a matter is as much beyond question as his unblemished character and his thorough devotion to the cause which Mr. SMITH is accused of betraying. For the use which Mr. WICKHAM may make of the opportunity afforded him by the removal of the Corporation Counsel, he must answer to the public. The only question which need be discussed now is whether he has shown cause enough to justify the dismissal of the head of the Law Department, should his charges remain unanswered.

Among the general specifications against Mr. SMITH, there is one at least which can be readily answered. To credit the Corporation Counsel with procuring special legislation at Albany for the purpose of giving him exclusive control over all litigation in which the City may be concerned is to ignore the history of the recent changes in the fundamental law of the City. The Committee of Seventy's charter of 1872 provided that, with one trifling exception, "no attorney or counsel shall receive any compensation for any services rendered to any department unless he shall have been employed by or with the assent of the Law Department." The language of the charter of 1873 is but a slightly modified reproduction of this, and it is as absurd to talk of Mr. SMITH having procured the insertion of the last as of the first. As to the way in which the Corporation Counsel has used this power there is room for some difference of opinion. It is certainly rather a far-fetched accusation to assume that it was conferred at his own solicitation.

The next general charge appears to be better founded. It is to the effect that in a number of important suits in which large interests were involved, the Corporation Counsel preferred to adopt the suspicious and secret method of trial by Referee instead of the open and safer method of trial by jury. Thirteen of these cases were brought before Mr. JAMES W. HUSTED, of Westchester, as a Referee satisfactory to both sides, and eight of them which have been decided by him were decided against the City. No specific accusation is brought in regard to the disposal of these cases. They are merely alluded to as "significant" of a private understanding between Mr. SMITH and the Speaker of last Assembly. Without reflecting on any of the parties to these and other transactions, it is clear that trial by Referee of suits of the first importance was not the method of disposing of them demanded by the public interest.

The first specific charge is made in regard to the method adopted by Mr. SMITH of dealing with the Navarro Water Meter claim. Against the remonstrances of the special counsel, (Mr. CARTER, we believe,) intrusted with defending this suit against the City for $700,000, the Corporation Counsel insisted on waiving the right to demand a jury trial, and on sending it for decision before a Referee. In accordance with the desire of both sides, therefore, the Special Term of the Supreme Court ordered a reference in this case, and it is made one of the grounds for his removal that the Corporation Counsel willfully failed of his duty in omitting to enter an appeal against this order of reference. If we mistake not, Mr. SMITH will be able to fortify his opinion about the advisability of referring this case by the concurring opinions of Messrs. PIERREPONT and PORTER, whom he associated with Mr. CARTER in the defense of the City's case.

The second specific charge is in regard to the treatment of the Starkweather case, which has been frequently alluded to in these columns. This gentleman is Ex-Gov. HOFFMAN'S father-in-law, and was Collector of Assessments under TWEED. Among his "deputies" who took a share of his gains without doing any work were the notorious A. D. BARBER, TWEED himself, and others. The City has a claim against these persons for large amounts of money, said to have been illegally abstracted from the Treasury, and it is charged that the Corporation Counsel has persistently refused to prosecute these suits, though repeatedly urged to do so by Gen. BARLOW, who was specially retained in the case, and by various officers of the City Government. The third specific charge against the Corporation Counsel relates to his delay in prosecuting what are known as the civil suits against the Ring. During the last six months Mr. SMITH has frequently expressed himself as ready to go on with these, and only a few days ago he referred to an intention to associate with him, in behalf of the City, GEORGE TICKNOR CURTIS and Ex-Judge PORTER. As these gentlemen signed an opinion, three years ago, in which a doubt was expressed whether any civil action would lie against the Ring thieves, the selection was not considered particularly fortunate. The Mayor reasons that Mr. SMITH is not a proper person to be intrusted with these Ring suits, because he owed his appointment to Ex-Mayor HALL, and because he has shown a very suspicious amount of vacillation in dealing with them. Strong as may be the reasons alleged under the last charge for finding another head to the Law Department, they certainly fall short of what the law would regard as justifying removal "for cause." On the first and second charges mainly depend the proof of Mr. SMITH'S willful neglect of duty, and on his success or failure in meeting these must depend the necessity for his removal.

It is only right that we should state that other charges have been brought to our notice in connection with Mr. SMITH, but we shall say nothing about these until some promised proofs are laid before us.

THOSE BOOKS.

The *World* is so proud of the part it has taken in the attempt to defend STOCKWELL & Co. of the Pacific Mail Company from the exposures which have been made of their conduct, that it is impossible to please it more than by calling attention to its services. It has systematically pooh-pooh'd the Pacific Mail investigation. The revelations of the shameful frauds which have been committed at the expense of the shareholders it ascribed to the iniquitous plotting of "wreckers," among whom it does not include its chief prompter on financial questions, Mr. S. L. M. BARLOW. In fact, it was virtually the Stockwell organ, and we take pleasure occasionally in reminding it of the fact, in order to see the effects on its nervous organization. We are fully repaid for our trouble.

It is all the work of "wreckers," cried out the *World* when the President of the Company declared that the accounts had been systematically falsified. "Wreckers, wreckers," it shouted again, when the bookkeeper of the company testified before the Congressional committee that the books were "doctored" whenever the Directors wished, and that false entries were constantly made in them. But with these despairing cries it mixed up statements of other kinds, and one of the most curious of these was published in its money article on the 17th December. Here it is:

"The accountant examining the books of the Pacific Mail Company has now tested their accuracy in a manner which he finds completely satisfactory, and pronounces them well and correctly kept. He will, therefore, at once proceed to work out the history of the company's business for the eighteen months from May 31, 1873, when most of the present administration took charge, down to the first day of this month. This work will exhibit all the earnings and receipts of the company for that time, and show precisely what has been done with them in the way of expenses, repairs, and new construction. Unless some unexpected delay occurs the task will be completed *in about three days.*"

Last Friday we pointed out that this promise had not been kept. And what said the *World*? Its excuse for endeavoring to bolster up the Stockwell transactions by false promises is that "the books referred to have been in Washington, or before the subcommittee at the Fifth Avenue Hotel, most of the time since they left this City on the 17th or 18th of December." So how could the accountant go on making up his figures? A very plausible excuse, but there is a fraud behind it; as there is behind all that the Stockwell advocates have to say on the subject. The books which were called for by the Committee of Investigation, and which were sent to Washington, were those of 1872. The accounts of 1874, a statement of which was promised in the *World's* article—or, to quote its own words, "from May 31, 1873"—have not been submitted to the committee, and have never, so far as we can learn, been out of the possession of the company. Then, why is the long promised statement withheld? If everything is all right, as RUFUS HATCH pledges himself that it is, why all this delay and secrecy? There is now a new excuse, rather more transparent than the others, namely, that the year having closed, the Directors will wait to make up the full accounts. But they could easily have given estimates for the last month of 1874, when they were called upon three weeks ago to reply to the damaging charges against the management of the company. They, or some of them, evidently authorized the promise published through the columns of the *World*. Why do they now try to evade that promise by making another?

Yesterday Mr. W. H. FOGG, one of the recently appointed Directors, retired. Why? Was it in disgust? It is certainly very odd that one of the Directors, who was chosen because he was a thoroughly honest man, and whose reputation was partly relied upon to restore the character of the company, should so soon have retired. But RUFUS HATCH does not retire. What claim have the present Directors upon public confidence while they retain him? We are willing to believe that some of them, at least, would fain manage the company on a very different principle from that which STOCKWELL adopted. But while they keep in an all-important position a man who was identified with STOCKWELL'S rule, how can they pretend that thorough reform has been introduced into this grievously wronged and plundered company? The very first step toward regaining public confidence must be the removal of Mr. HATCH, and the next step must be a true and faithful account of the company's receipts and expenditures, its liabilities and assets, from "May 31, 1873," as promised long ago to the Stockwell organ.

WIDOWS AND FATHERLESS CHILDREN.

Among the classes of persons to whom Winter often brings destitution and suffering, none is more deserving of sympathy than that of poor widows who have children to support. The present season is no exception to this rule. The distress among the poor is not, indeed, likely to be so much greater than usual as some people have anticipated; but there is every year quite enough of it to enlist all the well-directed efforts and liberality that the charitable can render.

Interior as is the number of occupations open to women compared with those to which men have access, the number practically available to widows with dependent children is still more limited. A working woman, for instance, who has nobody to take care of but herself, can work in a factory or at household labor in a family. A mother with four or five little ones to look after cannot ordinarily do either. It is impossible for her to be so much away from home. For a large class of such individuals, the only two employments practicable are those of a seamstress and washerwoman. To a strong, healthy woman, thoroughly proficient in the business, the latter sometimes affords a comfortable support for herself and children. So, likewise, a very expert needlewoman, who also understands the use of the sewing-machine, can occasionally accomplish the same object. But each of these cases presupposes two qualifications—skill and physical endurance. In regard to the former of these qualities, it is hardly necessary to say that of all who seek to earn a livelihood by one or the other of the methods we have mentioned, those who know how to do the work in first-rate style constitute decidedly a minority. In respect to the latter of the two qualities, it may be well to stop and consider a moment what a widow who has children to support generally has to do.

A widow with dependent children commonly has quite enough to tax her strength in her direct efforts to earn a livelihood. But she has usually much more than this to perform. In many instances she must, in addition, do all the cooking, washing, and mending for the whole family, besides taking care of the house or the rooms or room occupied by them, and making a considerable part or perhaps nearly all of her own and the children's clothes. If any of her children are sick she must nurse them, and do it under extremely unfavorable circumstances. We often see the wife of a rich man almost worn out with the long-continued care of a sick child. The child of a poor widow may need the same care, and all of it she is able to bestow must be given in addition to perhaps twelve or fourteen hours a day spent in hard labor to provide against hunger and cold.

It is somewhat strange that among all the benevolent plans and operations of our time, so little specific attention should be given to the care of poor widows with children to maintain. They come, it is true, within the scope of many of our charitable associations, but it would appear as if there ought to be a greater amount of definite effort in their behalf than is made at present. But what we wish here more particularly to speak of is not so much organized relief as direct individual assistance. There are many destitute widows who have a great aversion to receiving aid from benevolent societies. Personal sympathy and liberality, especially from one who is herself the mother of a family, is often much more in accordance with the feelings of a sensitive nature than the help which comes through organized charities. There are, it must be acknowledged, in a large city great difficulties in the way of this kind of private relief. There are a good many wealthy people in New-York who would be very glad to give aid in this manner to one or more poor widows and their children, if they knew where to find suitable cases. Even where the cases are known, it is sometimes a question of no little perplexity how to approach them with offers of assistance. Still, we think both these obstacles would often prove, upon trial, to be less than is imagined. In fact, there is much more of this kind of relief actually given than is generally supposed. Those who have the kindness of heart to seek out such cases have generally the delicacy of feeling that would lead them to keep quiet about them. But, although a good deal is done in this manner, there is abundant room for a great deal more. We may add that the cases needing most assistance are by no means exclusively among the working people. There are almost everywhere—and most certainly there are in New-York—many women struggling to earn for themselves and their children a meagre subsistence, whose circumstances were formerly wonderfully different from the mode in which they are compelled to live now.

LETTERS TO THE EDITOR.

TO THE POINT.

To the Editor of the New-York Times:

The Managing Director of the Pacific Mail Steam-ship Company has issued a notice to the stockholders of his company that the long-promised report cannot be made at present, because the books of the concern are in the possession of the Ways and Means Committee.

Does any one for a moment believe that the committee are at all interested in the books that are now in use by the company, when the inquiry is about matters which took place more than two years and a half ago? The latest date brought to the attention of the committee is that of the check (Sept. 4, 1872,) given by Lockwood & Co. to the Pacific Mail Company, and of which Mr. Rufus Hatch *swore so positively that there was no trace on the books of that company.* This date is nine months earlier than that at which the promised report is to commence.

"TOO THIN."

ANOTHER ANXIOUS INQUIRER.

To the Editor of the New-York Times:

By resolution of the Board of Directors of the Pacific Mail Steam-ship Company, their long-promised "statement" (when presented) will be made up to the 31st December, 1874.

As it requires more than one month for the transmission of accounts from the distant agencies of the company to the central office in this City, we cannot hope to see that interesting document before the middle or latter part of February next.

What is the meaning of this? A. H.

NEW-YORK, Tuesday, Jan. 5, 1875.

AMUSEMENTS.

ITALIAN OPERA IN BROOKLYN.

"La Sonnambula" was sung at the Brooklyn Academy of Music last evening by Mlle. Albani, and Signori Benfratelli and Fiorini. The performance did not differ in any respect from that enjoyed three or four times in New-York, and Mlle. Albani, who yesterday effected her début in the City of Churches, drew forth quite as large an audience and secured quite as much applause as her experience on this side of the river has accustomed her to. The future movements of Mr. Strakosch's troupe are shrouded in mystery, but it is believed it will proceed to Baltimore at once.

OPERA BOUFFE AT THE PARK THEATRE.

Mr. Stuart's compendious prospectus of the French opera bouffe season at the Park Theatre appears in another column. We cannot do better than direct attention to it, for no summary of the facts it embodies can do anything like justice to the composition itself. In plain prose, Mr. Stuart, in co-operation with Messrs. Grau and Chizzola, will commence a season of French opera bouffe at the Park, Monday next. A new work, called "Le Voyage en Chine,"—and, by the way, rather an opéra-comique than an achievement of the "Grande Duchesse" order—will then be brought out by the artists who are expected to-day from Havana. The principal performers of the fresh troupe are M. De Quercy and Mlle. Geoffroy, both of whom have won their spurs in Paris and M. Debeer, Mlle. Gandon, and Mlle. Minelli, who need no introduction to local audiences. As to the fruits of the season, we once more refer the reader to the announcements printed elsewhere. So bright a prospect as they open up cannot be successfully dealt with after the treatment the subject receives at Mr. Stuart's hands.

THE ICE CROP OF THE HUDSON.

POUGHKEEPSIE, Jan. 5.—Reports from up the river show that thousands of men and boys are anxiously waiting for the harvesting of the ice crop. At many houses the work of clearing the ice for the cutters progressed all day yesterday and to-day though the snow-storm has considerably impeded the work. At Barrytown the ice is not over six inches thick. At Germantown it is between seven and eight inches thick, and the houses there have been opened and the fields swarm with men and boys preparing them. The wages average $1 50 per day, which is below the price last year. At Schodack an attempt was made to cut the wages down to $1 25 per day, but the men refused to work for that price, and are still holding out. The bosses say they can get plenty of help at even $1 per day when it is necessary to have it. The men, on the other hand, claim they will act together and demand the usual rates. Ice-cutting may commence at different points north of Tivoli the first of next week, but south of that point very cold weather is needed to make the ice fit. The Hudson River has nearly 200,000 more tons storing capacity this year than it had last, owing to several large new ice-houses having been built the past Summer.

THE PENNSYLVANIA LEGISLATURE.

HARRISBURG, Penn., Jan. 5.—The Democratic House caucus met this morning. They were unable last evening to amicably nominate more than their Speaker and Chief Clerk. The committee then appointed remained in session until after midnight, by which time they had filled all the various offices, to the dissatisfaction, however, of the majority of the Democratic members of the House. This morning, immediately upon opening, the row commenced, and continued until 11 o'clock. A two-hours' fight was productive of nothing. They failed to nominate any additional officers, though the report of the committee was tabled by a vote of 70 to 35. The caucus will meet again. The caucus of the Republican Senators reassembled this morning and took some action looking to a change in the rules of the Senate, by which the majority of the committees will express the sense of the political majority of the chamber.

The Governor's message will not be sent to the Legislature until to-morrow, the session to-day being occupied in organizing.

THE EMERALD BENEFICIAL ASSOCIATION.

PHILADELPHIA, Penn., Jan. 5.—The annual meeting of the Grand Branch of the Emerald Beneficial Association of Pennsylvania began to-day. The report of the committee appointed at the last convention, to take measures to secure the approval of the Catholic Bishops of the dioceses of Pennsylvania for the association, was received. It stated that they had been unsuccessful in this object. It was stated that the priests throughout the State were doing all in their power to injure the organization. A resolution was passed providing for a committee to wait on Bishop Wood for conference, and to invite him to attend the convention. Adjourned until to-morrow.

THE OHIO WOOL-GROWERS.

COLUMBUS, Ohio, Jan. 5.—The Ohio Wool-growers' Association to-night adopted resolutions protesting against the proposed Reciprocity Treaty with Canada and against the repeal of the duty on fine wool, and indorsing Samuel J. Randall's protest against the Canadian Reciprocity Treaty.

A GRAVING DOCK IN BRITISH COLUMBIA.

OTTAWA, Ontario, Jan. 5.—Hon. George A. Walkem, Attorney General of British Columbia, has returned from England. He succeeded in obtaining a grant of $250,000 from the British Government to aid in the construction of a graving dock at Esquimaut.

THE LOUISIANA DIFFICULTY.

WORK OF THE INVESTIGATING COMMITTEE.

Continued from Page One.

do not think Gen. De Trobriand entered the House until the resolution was passed appointing a committee of three to ask the presence of Gen. De Trobriand, who restored order in the lobby according to the request of Mr. Wiltz. My impression is that the Clerk, Mr. Vigers, did not call the roll after Mr. Wiltz and his conferees left; therefore, I am unable to say who was or how many were present. After they left we reorganized, and a nomination for Speaker was made. I, being the only nominee, was declared elected. After I was declared Speaker, Mr. Lowell called my attention to the presence of the soldiers. They evidently took the hint that their presence could be dispensed with, and left. I was in the House at the beginning; don't know how many members were present at the first organization, or at the time the election for Speaker took place.

It was finally agreed that the counsel for each party be allowed four days in which to file briefs with the committee.

J. R. Beckwith testified as to acts of intimidation against Republicans since July, 1874. He could not particularize, because the complaints have been so numerous in the northern part of the State. The Coushatta affair and other acts of violence have produced a feeling of insecurity. The negroes throughout the State feel that they have not their proper rights and privileges and the protection of law. They would join together against any race if they thought they could obtain protection. In cases of arrest made in parishes on charges of intimidation and murder where the accused were brought here, in several instances, I was convinced arrests had been made in error. Witness declined to answer as to the personal character of Gov. Kellogg.

Judge Alexander Walker testified: The condition of the colored laboring classes is very much improved. A better feeling exists between them and the white people. Politically, they show a desire to have as little to do with politics as possible. In a business point of view, I consider the condition of the State is pitiable beyond all precedent.

J. C. Cunningham, of Natchitoches, testified: He used harsh language toward Twitchell, but it was at the opening of the campaign, and for personal reasons arising from offensive remarks addressed to me by Twitchell. [Twitchell asserted that he had been intimidated by Cunningham.]

J. L. Baden, of Iberia, testified that in that and adjoining parishes, for several months past, it has been impossible for a person expressing Republican proclivities to live in tranquillity. Threats of violence by whites against blacks who voted the Republican ticket had the effect of creating considerable excitement in the parish. Personally he knew of several instances where the homes of negroes have been burned and men killed just because they were Republicans. The perpetrators have been arrested.

GOV. KELLOGG'S TESTIMONY ON THE ORDERS UNDER WHICH THE MILITARY ACTED.

At 2 o'clock the Congressional Committee repaired to the State-house and took the testimony of Gov. Kellogg with regard to the orders upon which the military had acted on Monday. He stated that on Saturday he received an official report of the Acting Chief of Police that an attempt would be made on Monday forcibly to install persons whom the official returns did not show to have been elected. He transmitted this letter to Gen. Emory with a request that such disposition be made of United States forces as would prevent a collision and bloodshed. On the following day Gen. H. J. Campbell, who had been assigned under Gen. Longstreet to the command of the State forces protecting the State-house and approaches, was sent with a personal letter of authorization to confer with Gen. Emory on this subject. He returned with information that orders had been issued to have United States troops in the vicinity of the State-house, so as to preserve the peace in case of disturbance on the day of the convening of the Legislature. Between 12 and 1 o'clock, a number of members rushed excitedly into the Executive Office and stated that Mr. Wiltz and others had violently seized possession of the Hall of Representatives, that Mr. Wiltz had declared himself Speaker *pro tem.*, and had thrust from the platform the old Clerk of the House, who by law was required to call the roll of members as certified by the Secretary of State, before he had finished calling the roll. The Clerk himself entered with the original roll in his possession and confirmed this statement. Subsequently a statement, signed by fifty-two of the members, being a majority of the legal members on the roll-call, was presented to him, stating that the other forty-nine members and a number of other persons had taken forcible possession of the hall, and had refused them the right to vote on the question of organization, calling upon him for protection. Upon this he wrote to Gen. Emory, and subsequently being informed that a large and excited crowd was closing around the State-house, he requested the officers in charge of the United States troops to move his forces in front of the main entrance of the State-house, which was done. Afterward he learned from the police, whom he had directed to take steps in accordance with the request made to him by the fifty-two members, that the Hall of Representatives had been closed by persons claiming to be Sergeants at Arms, and the doors would have to be forced if they were to obtain admittance. He then felt it his duty, as conservator of the peace, to ask Gen. De Trobriand, in charge of the troops, to clear the hall of all persons not entitled to be present. He subsequently learned from Gen. De Trobriand that he had previously been called upon by Mr. Wiltz to clear the lobby, and that a Committee of Democratic members had been sent to him to make that request.

In reply to Mr. Potter, Gov. Kellogg said he did not think, under the present circumstances, that the State Government could maintain itself without the support of the United States forces, and probably had been in the same position since the 14th September last. He added, as his explanation, that the great bulk of the supporters of his Government were in the country, engaged in peaceful industrial pursuits, and that a large element opposed to his Administration resided in the city at the seat of the Government, and many of them had no industrial avocation at all, and that an intelligent, disciplined, armed minority could overcome a large majority, unarmed, undisciplined, and peacefully disposed.

THE LOUISIANA QUESTION IN CONGRESS.

RESOLUTION OF MR. THURMAN FOR INFORMATION AS TO THE REMOVAL OF MEMBERS OF THE LEGISLATURE BY TROOPS.

WASHINGTON, Jan. 5.—The Louisiana question came up in the Senate on the following resolution of Mr. Thurman, of Ohio, for which he asked immediate consideration:

Resolved, That the President of the United States is hereby requested to inform the Senate whether any portion of the army of the United States, or any officer, officers, soldier, or soldiers of such army did in any manner interfere or intermeddle with, control, or seek to control the organization of the General Assembly of the State of Louisiana, or either branch thereof, on the 4th inst.; and especially whether any person or persons claiming seats in either branch of said Legislature have been deprived thereof, or prevented from taking the same by any such military force, officer, or soldier; and if such has been the case then that the President inform the Senate by what authority such military intervention and interference have taken place.

Mr. CONKLING said he would suggest that it would be better to preserve the customary phraseology of such resolutions by inserting the words: "If in his judgment it is not incompatible with the public interest."

Mr. THURMAN said he did not agree with the Senator (Mr. Conkling) as to the propriety of inserting the words suggested. This question did not relate to any foreign power. If it was such a question, then it would be proper to insert those words. It was not for the Senate to submit to the opinion or judgment of the President. It was proper that the Senate should know the facts. It was not a case where the information would interfere with warlike movements, although this Louisiana trouble had the appearance of war. It was not a war made by the people. He would not say who did make the war, but would wait for the facts in the case.

Mr. CONKLING said he inadvertently had given the Senator (Mr. Thurman) the opportunity to make quite an impressive and eloquent speech. When the resolution came up for consideration he (Mr. Conkling) would move to amend it by inserting the words which he had suggested, and he would ask a vote of the Senate to see what the views of the Senate had been. A single objection, he believed, would carry the resolution over, and it was not yet before the Senate. The Senator from Ohio seemed to think that he distinguished this case from all others by conceding that the topic did not concern our relations with any foreign power. If there was a sense or reason in the rule which committed something to Executive discretion, he (Mr. Conkling) thought it should apply to this question, which related to serious disorder in one of the States of this Union. He thought this rule was suggestive of considerations which should address themselves to every Senator, not as a partisan but as he stood upon "his oath to be true" to the great trust committed to him. Turbulence and defiance of the law stalk high-headed in a public way, and the Senate did not know but that now even while it was deliberating over this resolution, peace, order, security of life and law were being trampled in the mire in the streets of New-Orleans. The Senator (Mr. Thurman) says it is for us, in the uncertainty, the danger, and the grave peril which surround the subject, to say absolutely, in the twinkling of an eye, before the sun goes down to-morrow, that the President must communicate all the facts to the Senate. He (Mr. Conkling) argued that the Senate had no facts upon which it could so act, and say to the President he must with all promptness communicate to the Senate so that there can be flashed back to Louisiana by telegraph the exact truth in respect to the employment, in respect to the location, in respect to the propriety of that power which may alone of all other powers be used to trample out disorderly disposition on the one side or on the other. This resolution was especially one in which the Senate should leave it to the reason, the prudence, the discretion of the President as to furnishing the information. It should be left to the President to say whether this publication would be incompatible with the public interest. The Senator from Ohio (Mr. Thurman) desired the Senate to direct the President touching the army, which he was Commander in Chief. In conclusion, Mr. CONKLING moved to amend the resolution by inserting after the word "requested," "if in his judgment it is not incompatible with the public interest."

Mr. SHERMAN inquired if the amendment would preclude an objection.

The Vice President inquired if there was any objection to the consideration of the resolution at the present time.

Several Senators—Oh, no. Don't object.

No objection being made, the Vice President announced that the resolution was before the Senate, the pending question being an amendment of Mr. Conkling.

Mr. THURMAN said he was familiar with the usage of the Senate long before the Senator from New-York (Mr. Conkling) was. In respect to foreign affairs it had always been the usage to use the words moved by the Senator from New-York, but in time of profound peace a simple resolution of inquiry as to our domestic affairs was not left to the discretion of the President for him to answer according to his will or pleasure. This resolution related to what had already taken place. It was a question of fact, and there was no possible way by which the President could prejudice the public interests by answering it. If the interference in Louisiana matters did take place, the Senate could ask the President to tell it by what authority of law it did take place. The Senate had the right to request the information, and if there was any reason why the President should not furnish it, it was for him to communicate that fact to the Senate; or if he deemed it proper, he could send it to the Senate under the seal of secrecy, to be considered in executive session.

Mr. EDMUNDS, of Vermont, inquired if the Senator (Mr. Thurman) could name a precedent where the words submitted by the Senator from New-York (Mr. Conkling) had been omitted from a resolution.

Mr. THURMAN replied he could name a hundred if he had time to search the records. He did not think it was for him, but in hand, to bow before the President and say it was for him to exercise his judgment. Louisiana was not the only State in which trouble had occurred in reference to the organization of a Legislature. In Ohio, on one occasion, there were for two weeks or more two bodies, both claiming to be the Legislature of the State, but, thank God, they had no fraudulent Returning Board. They had not descended to that depth of perdition. If Martin Van Buren, who was then President, had sent the military to interfere in that legislative conflict his troops would never have left Columbus alive. In Pennsylvania, also, there had been a similar instance, and how would the people of that State have acted had the Federal Government interfered? What would not be tolerated in Massachusetts, Ohio, and Pennsylvania for a single moment was the case in Louisiana. He desired to know whether, because of the first fatal step in foisting an illegal Governor upon the people of Louisiana, all liberty and all law in that State were to perish? He wanted to know who it was that called in the Army of the United States to organize the Legislature of Louisiana. He did not want this matter decided by clamor or tumult. There would be a tumultuous spirit in New-York, Ohio, and Michigan if either of those States were suffering from the same cause.

Mr. CONKLING read from various precedents to show that the custom had been to request the President, if not incompatible with the public interests, to inform the Senate, &c.

Mr. MORTON favored the amendment of Mr. Conkling. He said the Senator from Ohio (Mr. Thurman) urged the resolution as if it were in the nature of a mandate, when the very language of the resolution was: "The President of the United States is hereby requested," &c. If the Senate was to have information on this subject, let it have the whole story, and this could be done by amending the resolution so as to have the President send to the Senate any information he has in regard to the evidence of an armed organization in Louisiana hostile to the Government; to state what the President had done for the preservation of the public peace. It had been done in view of the fact that murder had been rampant in Louisiana; in view of the fact that these very men who surrounded the Legislature were covered with blood, and ready to commit fresh murders.

Mr. HOWE, of Wisconsin, supported the amendment of the Senator from New-York (Mr. Conkling.) He saw no objection to having the President furnish the information, and had no doubt that it would be furnished. It would promote the public interest, instead of prejudicing it.

Mr. SAULSBURY, of Delaware, said there had been Federal interference in Louisiana. He hoped the time had not come when a Cæsar might clothe himself in purple and bid defiance to the American people. In the elections last Fall these very usurpations in the Southern States had much to do in casting the ballot, as it was, against the party in power.

Mr. LOGAN, of Illinois, said when colored men were murdered in Louisiana no voice was raised on the Democratic side of this chamber to challenge the wrong perpetrated. He charged that these murders were committed by Democrats. Had the Senator from Delaware (Mr. Saulsbury) become the Brutus of this day to tear the purple robes from Cæsar that the country might applaud? He (Mr. Logan) was as much in favor of having this information before the Senate as any one here, but he desired to warn his friends on the other side of the Chamber that they must make their friends stop their murders. If they did not they would be made to stop, and the armies of the United States would be used to stop them. Those who stood by those murderers were no better than those who committed the crime. [Here there was a slight demonstration toward applause in the gallery, but it was promptly checked by the Vice President.]

Mr. THURMAN said he had been asked to point out precedents where the words suggested by the Senator from New-York (Mr. Conkling) were omitted from the resolutions of inquiry, and he quoted several; among them one submitted by Mr. Edmunds, in 1868, requesting the President to inform the Senate whether he had established Military Departments, &c.

Mr. EDMUNDS—Did any one raise the point that the words, "If not compatible with the public interest," should be inserted?

Mr. THURMAN—Why, nobody imagined that the Senator from Vermont could offer a resolution not in due form. [Laughter.] He next quoted from a resolution submitted by Mr. Morrill, of Maine, in 1874, reference to the occupation of the Indian Territory, and said he was not here to defend those violations of the Constitution and law by talking of murders and assassinations. When the cause of these crimes came to be known the American people would see that there were two sides to the question.

Mr. BOGY, of Missouri, said he was not an apologist for murder and disturbance, but he did not see how the people of Louisiana could submit quietly to all the outrages heaped upon them. [Applause in the gallery, which was promptly checked by the presiding officer.]

Mr. EDMUNDS said it was high time that the people of this country, and by that he meant the whole people, including those who have become citizens under the recent amendments to the Constitution, should know whether they were to have liberty, or to use a Western and a Democratic phrase, whether they are to be "frozen out" by assassination and murder, which the Senator from Ohio gently calls homicide. He would tell the Senator that the Thirteenth, Fourteenth, and Fifteenth amendments to the Constitution of the United States were intended to be and will be just as firmly planted in practice in this country as they are now in theory. The people of this country would not see thousands and tens of thousands of citizens made the victims of assassination merely because they wished to assert their constitutional rights. An honest and an injured man in any State should have the right to call upon his Government for protection. If it should turn out that these very men who were being defended on the opposition side of the House to-day were the aggressors in the South he hoped all these declarations about despotism and Cæsarism would be taken back. He then read the telegram from Gen. Sheridan published in the morning papers, and said that the testimony of that officer was entitled to weight. Concerning his argument he said he had been taught that the protection of human life and human liberty was the chief duty of the Government.

Mr. THURMAN said he did not see what Ku-klux outrages had to do with the subject matter before the Senate; Senators could denounce the people of the South as assassins; call them Ku-klux and all such choice words from the Radical vocabulary, but he did not see what that had to do with the fact that the army of the United States had been used in violation of all law; crime had been committed in New-England; people had been hung there without jury; but that did not make all the people of that section criminals. The army of the United States had been used in Louisiana, without authority of law, to determine who were members of the Legislature, and to organize it, not by lawful means, but by bayonets. If the President of the United States were to overthrow to-morrow any Southern State Government, he would be defended by the same cry of Ku-klux, White League, murder, &c. That would not do. The time had passed when a plain violation of the Constitution and law could be thus excused. The dominant party tried that on last Fall, when it set up a Southern outrage mill with the Attorney General as chief miller; but the people of the country rejected the product of that mill. It was the duty of Congress to harmonize the people of the whole country and not to produce sectional hatred by constantly preaching that the people of one section are assassins and murderers. What warrant had the Senator from Vermont (Mr. Edmunds) for charging that the people of Louisiana were assassins and murderers? Because some lives were lost there did that fact make the people of the whole State assassins?

Mr. MORTON said he welcomed this resolution, but he wanted it enlarged so the whole truth could be told. It would afford an opportunity to contradict the ten thousand lies from Louisiana. What evidence was there that the Conservatives carried the election there except the word of the White Leaguers?

The subject went over, and the Senate, at 4 P. M., adjourned.

IN THE HOUSE.

In the House the subject was introduced incidentally during an effort of the Republicans to reach the Civil Rights bill, which the Democrats resisted by filibustering.

Mr. COX, of New-York, remarked that while the House was filibustering, the soldiers of the United States were throttling the sovereign State of Louisiana, and Congress was quite indifferent to it. [Sneers from some Republican members.] If they did not want to see another civil war, they should call off the Federal bayonets from Louisiana; the Civil Rights bill, if passed, would only make the trouble worse and worse. For one, he would not help the Judiciary Committee, which had failed to report on the Louisiana question. Let that committee settle that question properly and give peace to the South, and then the civil rights of the people in the North and South would be better taken care of.

Mr. BUTLER declared that he was as anxious to "get at" Louisiana as any man on earth, [laughter and clapping of hands,] but a committee of the House had been sent there, and he did not propose to consider the subject before the report of that committee was received.

Mr. RANDALL—Then why does your President interfere?

Mr. COX—Take off your military.

Mr. BUTLER—I do not propose to make any attack or defense in regard to the affairs in Louisiana, simply on the lying telegrams of the Associated Press, or on any report except the report of our committee, and when that comes in I will stay here day and night until peace is given to Louisiana. I gave it peace once, and I should be glad to do it once more. [Clapping of hands by the Republican members, and sneering remarks by the Democrats.]

Mr. COX—Why did not the gentleman do it then so as to make the peace permanent? If he did it well then he has undone it all ever since.

Mr. RANDALL asked Mr. Butler whether he justified the interference of the military in New-Orleans and the expulsion from the Legislature of men who were duly elected.

Mr. BUTLER replied that he did not justify the expulsion from the legislative halls of men who were duly elected, but he did justify the throwing out of intruders who thrust themselves into a Legislature to make laws for people who would not elect them. A republican form of Government could not be guaranteed if intruders were allowed in the legislative halls.

At this stage of the discussion Mr. WADDELL, of North Carolina, objected to further debate, and the Speaker sustained the objection.

AN INDIGNATION MEETING.

CALL OF THE DEMOCRATIC STATE COMMITTEE OF ILLINOIS FOR A MEETING AT SPRINGFIELD.

SPRINGFIELD, Ill., Jan. 5.—There is considerable excitement here among politicians and others over the recent action of the United States military authorities in New-Orleans. The Democratic State Central Committee, which is in session here to-day, have issued a call for a mass indignation meeting to be held here to-morrow evening. The call says that "the Administration, through the most facile of its military instruments, has dispersed the Legislative Assembly of a sovereign State, and forced the representatives of the people from the halls of legislation at the point of the bayonet, and has given Louisiana over to her spoilers and plunderers, and that this action imports terrorism of the whole South, and its unholy subjugation to party ends." The committee call upon the people to rally and let the voice of their indignation sound throughout the land. Let them rise in their majesty, and, asserting their rights, put down the usurpers.'

THE WEATHER.

SYNOPSIS AND PROBABILITIES.

WASHINGTON, Jan. 6—1 A. M.—The barometer has risen from the lower lakes to the Atlantic coast, with low and falling temperature, westerly or northerly winds, and is now highest over the Middle States and Ohio. Cloudy weather has prevailed in the South Atlantic and Gulf States, with occasional light coast rains and falling temperature. Occasional very light snow has fallen in Northern New-England and the lower lake region. The barometer has fallen in the North-west, with low but rising temperature, and winds shifting to southerly.

The Ohio River has continued rising at Paducah, and the Mississippi from Davenport to Vicksburg. The Ohio has fallen from Pittsburg to Louisville.

PROBABILITIES.

During Wednesday, in the South Atlantic and Gulf States, falling barometer, north-east to south-east winds, and partly cloudy weather will prevail, with low temperature in the former, but rising in the latter

For the upper lake region, the Upper Mississippi and Lower Missouri Valleys, and the North-west, falling barometer, low but rising temperature, increasing cloudiness, and possibly light snow.

For the Middle States and lower lake region, winds shifting from north-east to south-east, low temperature, partly cloudy weather, and followed by falling barometer.

For New-England, high barometer, lower temperature, variable winds, and partly cloudy weather.

The Mississippi River will continue slowly rising from Cairo to Vicksburg, and the Ohio falling from Pittsburg to Louisville.

IN THIS CITY.

The following record shows the changes in the temperature during the past twenty-four hours, in comparison with the corresponding date of last year, as recorded at Hudnut's pharmacy:

1874.	1875.	1875.	1875.
3 A. M.	56°	29°	3:30 P. M.	41°	32°
6 A. M.	51°	27°	6 P. M.	35°	30°
9 A. M.	45°	28°	9 P. M.	43°	23°
12 M.	42°	30°	12 P. M.	33°	22°

Average temperature yesterday.....27½°

Average temperature for corresponding date last year.....43¼°

SPENCE PETTUS.

A DECISION TO BE GIVEN ON THE APPLICATION FOR HIS PARDON—A REFUSAL CERTAIN.

Special Dispatch to the New-York Times.

BOSTON, Jan. 5.—The final hearing in behalf of the pardon of Spence Pettus was given by the Governor and Council to-day, and the decision will be made public to-morrow. It is reported that the pardon will be refused, and on the best authority. The Governor and Council visited the State Prison this afternoon, and had a private interview with Pettus. It is understood that they examined him thoroughly, and reached the conclusion that he had better stay where he is. He himself stated after the interview that he was sure he had made a good impression on his inquisitors, and felt confident that he would receive his pardon. The story that there is a good indictment against him in New-York, on which he is liable to be sentenced to hard labor for five years, is said to be untrue, as it is asserted for a fact that the District Attorney's office was entered and all the documentary evidence against him stolen.

MONTANA TERRITORY NOTES.

HELANA, Montana, Jan. 5.—The weather is clear and fine, with the thermometer 10° below zero.

Major Walsh, of the Canadian Mounted Police, has arrived from Fort McLeod, and reports the whisky traders entirely expelled from the British possessions.

Three hundred ounces of gold bullion were received yesterday from Jawbone Lode, Jefferson County. A large body of silver ore has been struck on the Sallie Bell Lode, in the Loeber District.

A new site for the Crow Agency has been selected by Agent Clapp, at the mouth of Pricer's Creek. The main camp of the Crows is on the Big Horn, where they will remain until the Spring. The Crows have had several victorious skirmishes with other tribes. They report white men in the Black Hills, near Smoke Cañon.

MEETING OF THE FLORIDA LEGISLATURE.

TALLAHASSEE, Jan. 5.—The Legislature met to-day. In the Senate the members elect were sworn in, and the Senate adjourned without electing a President. In the Assembly three ballots were had for Speaker without result. Both Houses adjourned to meet at 12 o'clock to-morrow

PLYMOUTH CHURCH.

THE ANNUAL SALE OF PEWS.

THE TOTAL REVENUE $71,165 OR $12,860 MORE THAN LAST YEAR—MR. BEECHER REHEARSES THE WORK OF THE CHURCH—HOW LONG THE "NOVELTY" HAS LASTED—HE HAS LEARNED HOW TO BEAR TROUBLES.

The annual auction of pews and seats in Plymouth Church took place last evening, and great was the enthusiasm among the congregation. Long before the hour announced for beginning the sale the congregation began to pour rapidly into the church, and at 7 o'clock every seat was occupied. Mr. Beecher moved pleasantly about in the vicinity of the reading-desk, with a heavy cloak drawn over his shoulders, chatting with the officers of the church and the reporters, and he had a long whisper with his counsel, Mr. Thomas G. Shearman. It was evident from his face that he anticipated a triumph in the coming trial before the members of his own congregation; for everybody regarded last night's proceedings in Plymouth as such a trial, it being generally conceded that the confidence of his church would be measured by the eagerness displayed to purchase high pews. To THE TIMES reporter who asked whether he thought the "hard times" would have the effect of reducing the proceeds of the sale below those of last year, Mr. Beecher said: "I know no more about that than the man in the moon. I should not be surprised if they fell off, and I should not be surprised if they were as good as last year, and I should not be surprised if they increased beyond last year's sales. I should not be surprised, too," he added, "if these front pews went off with a pretty good bounce, because the men who hold them have not been affected by the hard times." It is quite possible, however, that he was subsequently surprised at the bidding, for it was unprecedentedly brisk and substantial. The wealthy offered their bids enthusiastically, people of moderate means, following, named their figures desperately, and the representatives of "genteel poverty," who scraped enough together last year to buy a pew or a seat, almost despaired, as their hopes of independent quarters this year dwindled away while listening to the voices of their wealthy brethren. But there is still a place in Plymouth every Sunday, even for the penniless, if he will go to church early enough, for 500 free seats were reserved for the poor. Scattered around the church were printed diagrams of the floor and galleries of the building, showing the pews and seats, with their numbers, and the fixed valuations to be paid in addition to the premiums obtained by auction for a choice. The diagram also contained the "terms of sale."

A few minutes before 7 o'clock Mr. Beecher mounted the platform, and was received with a round of applause. Observing somebody turn round to look at the clock, he called out, "Don't look at that clock; that is the church clock, but it is the minister's watch we go by here." [Laughter.] Then he drew out his watch, and after holding it in his hand for a second or two, came forward to the rostrum and said:

MR. BEECHER'S SPEECH.

LADIES AND GENTLEMEN: In the year 1850, in the month of January, this building was first opened for public worship. I remember the remarks of a gentleman, a personal friend of mine and also a family connection, who now represents a part of this city in the National Legislature at Washington, who was present on the Sunday night—the first day when the house was opened. He looked all about and saw the galleries filled above and the seats below, and, turning to a lady beside him, he said to her: "Madam, I give you sixty days for the novelty of this thing to wear off. It is not possible to fill so large a house as this and keep it filled. He has since then been an admirable merchant one of the few who never saw failure or went into bankruptcy, but if he had been no better merchant than he was a prophet he would have been broken up and in the Poorhouse long ago. We have gathered here through many, many times of great darkness and vicissitude and trouble and peril, and through all this, in old Plymouth—I may now call it old Plymouth, for it is old, according to the scale in use in young America—we have been put upon an annual trial before the people by the method employed here for renting our seats. During the days of Castle Garden gatherings and Union meetings, when men were threatened if they dared express their sentiments on the subject of slavery or liberty, in the days when parties were forming and being formed, every year regularly we were thus brought before the public, and seats were offered for sale, and so that crucial test in New-York, the true value, was employed upon us every year. Since 1850 this church has known no backward step. [Applause.] It has gone straight on, and when hard times came, and when money was close, and when Bankruptcy abounded everywhere, measures and men were unpopular, and even when leading papers in New-York were recommending that the minister of this church should be rolled in the mud as a testimony of his offensive sentiments, there was then one stock that never went down in the market, and that was Gospel stock—the best stock that ever a man invested in. If I came here as a matter of fashion, or for merely intellectual enjoyment, I should be ashamed to say a single word to encourage you, but I have testimony that the Gospel that has been preached here has not been preached to please men, but to make men better; and I have the testimony of yourselves and your own experience that you have been helped in your business by the religion that has been preached here and in your families, by the spirit of Christ obtained here; and you have better ideas of manhood, of citizenship, of patriotism, and of love to God and man. I believe it is that, and that only, that leads you to come from year to year and purchase a seat in this house, where you may still have the bread of life. I will not now allude to any of the circumstances that make our coming together this year peculiar. I have only this to say, and I say it in the language of the old Psalmist, "I have never seen the righteous forsaken, nor his seed begging." [Great applause.] All through this most painful period of my life, at a time when most men have a right to be at ease, I am unable to be so, but accept the trial with patience, with cheerfulness, and with that trust in God which I preach to you, and it is my desire to go through trouble in such a way as that I need not blush afterward when I preach to you how to bear trouble and to carry sorrow. [Great applause.]

Here Mr. Beecher paused a few moments, and then, assuming a cheerful tone, went directly to business. He said his hearers had in their hands the diagram of the church, with the pews and seats to be sold, containing the terms of the sale, (which he explained more clearly,) and he trusted they had read and pondered on the subject matter of those terms. He would be allowed to say, that while he considered that church as extraordinary in the manner in which the rents had been paid up, he would add that in twenty-seven years the loss on non-payment of pew-rents has not been one-half of one per cent., and the gentleman to whom the church was most indebted for this prompt collection of pew-rents was Mr. Weld, the Secretary, who was a most excellent man—[laughter]—as patient as Job, and willing to do all that was necessary to get at their money. The speaker urged that the purchasers of pews should spare Mr. Weld and themselves all the trouble they could by their prompt compliance with the terms of the sale, though he did so without consulting Mr. Weld on the subject. He also urged that each person proposing to purchase a pew should have more than one pew in his eye, so that if they lost their first choice they need not lose their temper afterward. They should each have an eye on three pews, and they would probably hit one out of three. They formerly had a member of their own church as an auctioneer, but he went away from them to New-Jersey, [laughter,] and they therefore sent out for another man, who has now served them for several years, and the service was a means of grace to him. [laughter,] for it brought him away from New-York to live in Brooklyn. The speaker having introduced Mr. Hoyt, the auctioneer, said he had one little matter more to propose to the congregation, and to ask their assent thereto, and that was that pew No. 49 be marked off as not for sale, as they wanted to assign it to Mr. Halliday, the Assistant Pastor. [Applause.] Mr. Halliday was a man without jealousy or envy, but he saw that Mr. Beecher had a pew without paying for it, and it might save unpleasant feeling in the church if he had another.

Mr. Hoyt here came forward and read the terms of the sale, after which he called for a bid for the first choice. Somebody shouted $400, which was rapidly followed by $500, $525, and $550, (against $400, the highest bid last year,) at which sum it was knocked down to Charles Dennis, amid loud applause, who chose Pew No. 134. The bidding then continued as follows:

No. of Pew.	First Bid.	Last Bid.	Name of Purchaser.
89	$400	$510	Horace B. Claflin.
90	500	530	H. W. Sage.
100	500	520	S. P. Duryea.
99	500	550	A. W. Shepard.
55	400	530	Davidson & Beecher.
57	400	535	S. V. White.
56	500	535	Moses S. Beach.
58	500	535	J. C. Southey.
80	500	520	S. S. Benedict.
87	400	525	Mr. Freeland.
85	475	515	Mr. Ovington.
84	500	510	D. S. Arnold.
135	450	510	G. W. Park.
86	475	510	A. T. Howard.
54	450	490	H. F. Hatch.
83	450	495	Aaron Claflin.
133	450	475	C. E. Evans.
134	450	485	G. P. Milne.
107	450	480	M. Reynolds.
82	450	455	Henry C. Bowen.
103	450	470	D. B. Babcock.
104	450	465	Augustus Storrs.
59	400	430	C. D. Bigelow.
133	400	425	Aaron Healy.
131	400	425	H. Collins.
53	400	430	J. Howard, Jr.
108	400	425	M. K. Moody.
101	400	625	S. H. Smith.
60	425	425	L. Palmer.
61	400	425	B. F. Tracy.
62	400	430	George C. Tallman.
132	400	420	H. O. Pierce.
130	400	425	J. B. Hutchinson.
129	400	425	Y. D. Yukum.
106	400	430	Tuckle & Smith.
81	400	430	Dr. Conklin.
128	400	420	J. C. Wendell.
144	400	425	G. G. Lapham.
98	400	415	A. L. Holly.
127	400	410	Mr. Pettigill.
45	350	405	A. Studwell.
42	350	420	——— Southwick.
41	350	420	C. H. Mallory.
40	350	410	C. H. Mallory, Jr.
44	350	410	G. C. Robinson.
43	350	415	R. Cornell White.
143	350	405	———
46	350	405	T. G. Shearman.
209	350	405	J. W. Mason.
208	415	415	Anderson & Pratt.
205	350	405	C. Messenger.
270	350	410	J. B. Murray.
203	400	400	Thomas R. McNeil.
145	350	400	Lobert & Kenyon.
47	350	385	G. J. Lutan.
146	350	375	S. G. Bass.
80	350	375	W. A. Work.
130	300	385	Mrs. Walton.
148	300	350	E. A. Sessor.
97	300	340	S. R. Harlow.
142	300	325	C. T. Christensen.
218	200	320	E. H. Van Ingen.
280	300	320	H. W. Wheeler.
126	300	315	J. Tilney.
107	300	300	Green & Daly.
63	200	290	W. G. Kramer.
147	250	280	M. M. Belden.
149	250	280	Mr. Bulay.
234	250	275	M. C. Ogden.
211	250	265	A. P. Davis.
100	250	265	M. Bridgman.
268	250	260	——— C. S. Dorlan.
125	225	265	H. M. Bowen.
253	200	255	William M. Thomas.
252	225	265	Zuno Case.
251	225	255	George R. Lewis.
137	225	250	——— B. G. Carpenter.
232	225	255	A. A. Peck.
93	225	255	A. Hill.
64	200	250	Charles G. Greenor.
272	200	240	H. M. Messenger.
108	200	240	Mr. Fitzgerald.
39	200	240	W. S. Surne.
173	200	230	R. W. Ropes.
52	200	235	W. B. Caldwell.
124	175	200	J. D. Perkins.
270	175	225	Rossiter R. Raymond.
210	175	215	W. B. Boerum.
267	175	215	R. T. Bunker.
206	175	215	B. Estes.
287	200	220	Thomas Keck.
267	175	215	J. W. Gray.
268	175	220	——— Aiken.
220	175	215	——— A. P. Well.
149	175	215	A. D. Wheelock.
Pew B	175	215	William Duryea.
150	175	220	T. E. Stillman.
151	175	220	Mr. H. W. Stark.
98	175	210	H. L. Pratt.
201	175	215	D. H. Haw ins.
281	150	215	Mr. Beecher to purchase for Rev. Edward Beecher.
276	150	225	L. A. Parsons.
266	200	215	W. C. Vosburg.
235	200	220	A. C. Keeny.
282	200	220	Mr. Beecher, for Oliver Bullard.
109	150	210	R Turner.
79	150	205	A. A ler.
226	150	205	C. W. Manchester.
219	150	205	Rossiter Raymond for Charles D. Fisher.
202	150	205	T. B. Boughton.
271	150	210	Samuel Foot.
237	150	205	H. Chapin, Jr.
255	150	200	S. E. Beecher.
110	150	200	A. Churchman.
65	150	200	D. P. Hatch.
141	150	200	A. D. Porter.

At this point it was about 8:30 o'clock, and the bidding fell off, though it was brisk enough, each remaining pew selling at less than $200, the values falling until the last, No. 133, was put up at $1, knocked down to Moses S. Beach for $15 at 10:45 o'clock. The sales were then summed up and were found to be: Premiums sold by auction, $56,305; fixed valuations $12,860; total revenues, $71,165—a sum exceeding the total proceeds of last year by $12,845. This announcement was received with great applause by those of the congregation who waited to hear the result, and with feelings of deep distress by a number of sporting men who had made bets more or less weighty that there would be a stated falling off in the bids for pews in Plymouth this year.

CLEVER CAPTURE OF BURGLARS.

CLOTH VALUED AT $3,000 PACKED AND READY TO BE TAKEN AWAY—BUT IS RESTORED BY THE POLICE.

At 11:30 o'clock last night, while Roundsman Byrnes, of the Fifth Precinct, was on patrol, he noticed two suspicious-looking men loitering along Walker street, between Church street and West Broadway. The Roundsman, believing that these men were intent on a burglary, concealed himself in a doorway on the opposite side of the street, from which place he could watch their movements without being seen by them. After watching them for some time the men suddenly disappeared, and he was satisfied that they entered one of the buildings on the block. He thereupon procured the assistance of Patrolman Correll, and together they quietly examined the buildings in the vicinity. On reaching the store No. 8 Walker street they discovered that the padlock on the door leading to the basement had been wrenched off, and on endeavoring to press the door open they found that it was secured by something placed against it from within. Patrolman Correll was then placed on guard at the door, and Byrnes went in search of assistance. He collected several policemen from the adjoining posts, and also sent word of his discovery to the station-house. Capt. Caffrey hastened to the spot with a section of men, and the block on which the store is situated was completely surrounded by the Police. In the meantime Byrnes, who had became impatient, placed his shoulder to the door, which yielded to the pressure

FINANCIAL AFFAIRS.

SALES AT THE STOCK EXCHANGE—JAN. 5.

SALES BEFORE THE CALL—10 A. M.

1800 West. Union	77⅛	25	Erie Railway		29⅜
3300 do	77⅜	100	do		29⅜
3800 do	77⅝	200	do		29⅜
1800 do	77⅝	300	do		29⅜
1900 do	77⅝	100	do		29⅜
1400 do	77⅝	500	do		29⅜
1100 do	77⅝	800	do	c.	29⅜
400 Rock Island	103	100	C., C. & I.	c.	9
100 do	b3.103⅛	200	Lake Shore		79⅜
100 N. Y. C. & Hud	101⅞	400	do		79¼
150 do	101⅝	300	do		79¼
100 do	101⅝	900	do		79¼
100 Tol. & Wabash	20¾	300	do		79¼
200 do	20⅝	100	do		79¼
100 do	20⅝	1800	do		79¼
200 do	20⅝	600	do		79⅜
400 do	20⅝	200	do	s3.	79¼
1200 Pacific Mail	33¾	100	Union Pacific		36⅛
1100 do	33¾	400	do	s3.	36
500 do	33¾	700	do		36⅛
200 do	33⅞	500	do		36⅛
400 do	34	500	do		36⅜
400 do	34⅛	500	do		36⅜
400 do	34⅛	1100	do	s3.	36⅜
5 do	34⅛	900	do	s3.	36¼
400 do	c. 34	700	St. Paul		38¾
100 do	33⅞	100	do		38¾
1000 do	c. 33⅞	100	do	s3.	38⅜
1000 do	c. 33⅞	100	do		38⅝
600 do	34	500	North-western		47⅜
1000 Ohio & Miss	31⅜	1100	do		47⅜
400 do	c. 32	100	do		47½
500 do	32	100	do	s3.	47½
700 do	32½	300	do		47½
100 Pittsburg	88½	800	do		47½

GOVERNMENT STOCKS—10:15 TO 11:30 A. M.

$1,000 U. S. 6s, '81	b. c.118½	$500 U. S. 5-20 C.	03 c.12.18¾
1,000 U. S. 5-20 C., '65	03 c.12.18¾	10,000 U. S. 5s, '81	C.115⅝
1,000 do '65, new	117½	7,000 do	c.12.18⅝
1,000 U. S. 5-20 C., '67	c.12.18⅝	1,000 U. S. 6s, Cur	117⅜
2,000 do	117½	1,000 U. S. 5s, 10-40	C.12.15

FIRST BOARD—10:30 A. M.

$1,000 Mo. Gs, L. bds	95⅛	200	N. Y. C. & H. b. c.		101⅜
2,000 do	95⅜	100	C. & P. R. G. b. c.		83¾
2,000 N. Y. 8-7s, By. & L.	105⅜	5	Ill. cen		103
5,000 Mo. Gs, Il. & St.		200	do	b3.	101
do	97	95	1000 W. Union	b. c.	77⅝
12,000 Tenn. 6s, New		1000	do		77⅝
	xC.	56	500	do	s3. 77⅜
5,000 Tenn. 6s, N. S.	55⅜	800	do		77⅜
5,000 Brklyn 6s, W. L.	100	500	do	c.	77¾
2,000 Brklyn 6s, P. L.	97	500	do		77⅝
1,000 Alb'y & Sus 1st	105¾	300	do		77⅝
3,000 St. L. & C. 1st	97	100	do		77⅝
2,000 Chic. & W.		100	do	s3.	77¾
	C. & I. C.	97¾	100	do	s3. 77¾
3,000 C. C. & I. C. 1st	98	200	Chic. & N. W.		87⅞
3,000 Mich. Cen. 7s	102	200	do		88
40 Del. & Hud. Canal		100	do	s3.	87¾
	c. b. c.	s10.116½	100	do	c. b10. 87¾
300 do	c.	116½	100	Chic. & N. W.	Pf. b. c.	92¼
27 do	c.	116⅜	200	Chic. & R. I.	b. c.	103
100 C. S. Ex	b. c.	58⅝	100	N. J. Cen	b. c.	105⅛
100 N. Y. C. & H.	b. c.	101⅞	400	C. & R. I.	b. c.	87½
2100 West. U. Tel.	b. c.	77⅝	300	Chi., Mil. & St. P.	b. c.	38¾
600 do		77⅝	300	C., M. & St. P.	b. c.	38¾
1700 do		77⅝	300	C., M. & St. P.	b. c.	38¾
1400 do		78	100	do		38¾
400 do		78⅛	500	do		38¾
1000 Erie	R.	29⅜	100	do		38¾
1000 do		29⅜	100	Tol. W. & W.	b. c.	20¾
300 do		29⅜	100	do	s3.	20¾
500 do		29⅜	100	do	s3.	20¾
1000 do		29⅜	100	do	s3.	20⅝
2000 do		29⅜	100	do	s3.	20⅝
1700 do		29⅜	300	C., M. & St. P.	b. c.	38¾
1400 do		29⅜	100	do		38¾
400 do		29⅜	500	do		38¾
1000 Erie	R.	29⅜	100	do		38¾
1000 do		29⅜	100	Tol. W. & W.	b. c.	20¾
300 do		29⅜	100	do	s3.	20¾
500 do		29⅜	100	do		20¾
1000 do		29⅜	100	do		20⅝
2000 do		29⅜	100	Del., Lack. & W.		106⅞
5 0		c.	s00	787	100	do		106⅞
1000 do		s3.	79⅝	200	O. & Miss.	b. c.	b3.	32
500 do		c.	b. c.	79⅜	200	do		32¼
100 Mich. Cen	b. c.	79⅜	400	do		32¼
25 do		s3.	79⅜	150	Col., H. V. & T.	b. c.	9
100 Pa. Pac.	b. c.	b3.	36⅝	200	do	s3.	9
1000 do		c.	36⅝	300	Morris & Essex		96
1000 do			36⅝	107	do		96
1000 do			36⅝	50	Del. L. & W.		106⅞
2100 do			36⅝	200	do	b. c.	s3.	106⅞
900 C. Pac.	b. c.	b3.	36⅛	10	N. Y. & H. & H.	b. c.	103⅜
900 do		s3.	36⅛	60	P. Ft. W. & C.	Gtd.	83¾
1500 do		s3.	36⅜	600	Ohio & Miss.	b. c.	32⅜
400 do		s3.	36⅜	600	Ohio & Miss.	b. c.	32⅜
500 do		s3.	36⅜	100	do		32⅜
500 do		s3.	36⅜	1500	do		32⅜
500 do		b3.	36⅜	100	C., C. & I.	C. b. c.	9
				200	do	s3.	9⅛

SALES FROM 2:30 TO 3 P. M.

$5,500 Reg 6s, $1.03	118	500	Erie Railway		28¾
25,000 do	118	100	do	s3.	28¾
65,000 U. S. 5-20 C., '65	118	100	do		28¾
	'67	118⅛	100	do		28¾
1,000 do	c.	118⅛	400	do		28¾
35,000 do	c.	118⅜	500	do		28¾
40,000 do	c.	118⅜	100	do	b3.	28¾
1,000 Un. Pac. 1st	c.	90½	100	Lake Shore	R.	79¼
800 Western Union		77⅜	1400	do		79⅜
200 do		77⅜	200	do	s3.	79⅜
200 do		77⅜	200	do		79⅜
2100 do		77⅜	300	Toledo & Wab.		20¾
100 Rock Island	R.	103⅜	100	do		20¾
100 Pacific Mail		34⅛	500	Union Pacific	R.	36½
100 do	b3.	34⅛	200	do		36⅝
100 do		34⅜	300	do		36⅝
200 do		34⅜	100	do		36⅝
1500 do		34⅜	200	St. Paul	R.	s3.	38¾
800 do		34⅜	300	do		38¾
1300 do		34⅜	800	do		38¾
800 do		34⅜	100	do		38¾
500 do		s3.	34⅜	400	do		38¾
1500 do		s3.	34⅜	200	do		38¾
200 do		s3.	34⅜	200	do		38¾
1000 do			34⅜	100	Morris & Essex		96
1000 do			34⅜	107	do		96
2100 do			34⅜	50	Del. L. & W.		106⅞
900 do			34⅜	200	do	b. c.	s3.	106⅞
1500 do		s3.	34⅜	600	Ohio & Miss.	b. c.	32⅜
400 do		s3.	34⅜	600	Ohio & Miss.	b. c.	32⅜
2700 do		s3.	34⅜	100	do		32⅜
500 do		s3.	34⅜	1500	do		32⅜
500 do		b3.	34⅜	100	C., C. & I.	C. b. c.	9
500 do		b3.	34⅜	100	do	s3.	9⅛

SALES FROM 2:30 TO 3 P. M.

$1,000 Un. Pac. 1st	s3.	90¼	100	St. Paul	R.	38¾
5,000 do		90⅜	500	Erie Railway		28⅞
5,000 do		90⅜	100	do		28⅞
2,000 Pac. Mail	c.	33⅝	1100	Rock Island		103⅜
2,000 Un. Pac. R. 1st		89¼	100	do		103⅜
4,000 N. W. com			100	Ohio & Miss.		32⅜
	G. b.	s3.	82¾	600	do		32⅜
200 Pacific Mail		34⅞	100	Union Pacific		36⅜
1400 do		34⅝	100	do		36⅜
500 do		34⅝	100	do	s3.	36⅜
700 do		34⅝	500	do		36⅜
400 do		34⅝	1700	do		36⅜
300 Western Union		78	1200	do		36⅜
500 do			200	do		36⅜
200 do		s30	100	Fort Wayne		95½
200 do		b3.	78	300	North-western		47⅝
200 do			78	100	do		47⅝
500 do			77⅞	100	do		47⅝
100 N. Y. C. & Hud			101⅞	300	Tol. & Wab.	s3.	20¾
200 do			101⅞	100	do		20¾
300 Lake Shore		s3.	79	50	H. & St. Jo. Pf.	b3.	33
500 do		s60.	78⅞	60	C. C. & I. C.		8¾
300 do		s3.	79	100	do		8¾
200 do		s3.	79⅛	100	do		8¾

TUESDAY, Jan. 5—P. M.

Business at the Stock Exchange to-day was comparatively quiet, and the course of speculations was not marked by any violent fluctuations in prices. Erie exhibited considerable weakness, declining from 29⅜ to 28⅛, with, however, some recovery at the close. Pacific Mail affairs attracted much attention, consequent upon reports that Mr. Alexandre, the President, and Mr. Fogg, the Vice President, had severed their connection with the company. The report proved to be well founded in the case of the latter gentleman. Though he declined to assign any specific cause for his action, it is well understood that Mr. Fogg's resignation was prompted by dissatisfaction with the manner in which the affairs of the company are managed, or rather mismanaged. Rumors of dissensions between prominent Directors of the company and Mr. Rufus Hatch, the Managing Director, were also current. Speculation during the last hour of business was characterized by dullness, with the single exception of C., C. and I. C., which declined from 9¼ to 8⅜.

The Money market was active early in the day, when the business in call loans was at 6@7 ₰ cent. In the afternoon the rates settled down to 4@5 ₰ cent. Discounts were quiet at rates inst quoted.

The large decrease in the Gold balance of the Treasury this afternoon is probably due to the changing off of large amounts of Gold previously paid out for interest and called bonds.

The foreign advices to-day were not important. The London market was higher for consols, which closed at 92⅝@92¼ for money, and at 92⅜@92½ for the account; and firm for American securities, at 107¼ for 1865s, old, 107⅞ @108 for 1867s, 104⅜ for 10-40s, and 103⅜@ 103½ for new 5s. Erie declined from 27¼ to 26⅜, and closed at 26¾. Sterling Exchange continues quiet and without change in rates. Good to prime bankers' sixty days' sterling bills are still quoted at $1 85¼@$1 85½, and sight at about $1 90. Gold was weaker in tone, and the prices made a further decline, sales having been made at 112⅜@112, and closing 112⅛. Cash gold was again in liberal supply, and cost from 4 to 7 ₰ cent for carrying until the close, when the rate dropped to 2 ₰ cent. The Customs receipts to-day were $394,000. The Assistant Treasurer has paid out to date $8,812,000 on account of January interest. The exports of Domestic Produce from the Port of New-York, for the week ending to-day, were $4,249,239. The engagements of specie for Wednesday's steamer are reported at $750,000.

Government Bonds were quiet and steady. State Bonds were intensely dull, with the exception of Missouris and Tennessees. In Railroad Mortgages, Central Pacifics declined to 93⅛, and Union Pacific Firsts to 90¼. Among the sales were New-York Central Firsts, coupon, at 112; Harlem Coupon Firsts at 109½; Chicago and North-western Consolidated Gold Bonds at 82@82¼.

UNITED STATES TREASURY, NEW-YORK, Jan. 5, 1875.

Gold receipts	$2,382,376 31
Gold payments	1,684,085 10
Gold balance	47,709,627 33
Currency receipts	1,010,416 19
Currency payments	679,854 02
Currency balance	44,797,220 12
Customs	374,000 00

CLOSING QUOTATIONS—JAN. 5.

	Monday.	Tuesday.
U. S. New 5s, coup., 1881	113¾	113⅝
U. S. 5-20s, coup., 1862	114¼	114½
U. S. 5-20s, coup., 1867	118⅝	118⅝
Canada Southern	83	83
New-York Central and Hudson	101¾	101⅞
Chicago and Rock Island	103⅜	103⅜
Pacific Mail	34	34⅛
St. Paul Common	38¾	38¾
St. Paul Preferred	58⅝	58⅝
Western Union	77⅜	77⅜
Union Pacific	36⅜	36⅜
Lake Shore	79⅛	79⅜
Toledo and Wabash	20¾	20¾
North western Common	47⅜	47⅜
North-western Preferred	62	62¼
Delaware and Lackawanna	103¾	104
New-Jersey Central	105	105⅛
Panama	114½	114½
Erie	29¼	28⅞
Ohio and Mississippi	32½	32¼
C., C. and Indiana Central	9¼	8⅜
Harlem	128	128

The extreme range of prices in Stocks and the number of shares sold are as follows:

	Highest.	Lowest.	No. of Shares.
New-York Central	101⅜	101⅛	1,753
Erie	29¼	28⅝	15,100
Lake Shore	79⅝	79⅛	29,500
Wabash	20¾	20	7,700
North western	47⅝	47⅜	16,100
North-western Preferred	62¼	61⅞	800
Rock Island	103⅜	103	2,900
Milwaukee and St. Paul	38⅞	38⅜	6,100
Milwaukee and St. Paul Pref.	58¾	58⅛	800
Pittsburg	88½	88¼	200
Delaware, Lack. & Western	106¾	106¾	400
New-Jersey Cen. ral	105⅛	105	100
Michigan Central	82	81⅞	125
Illinois Central	101	100	100
Union Pacific	36¾	36	21,200
C., C. and Indiana Central	9¼	8⅜	2,100
Hannibal and St. Joseph Pref.	35	35	100
Ohio and Mississippi	32⅜	31⅞	8,500
Western Union	78	77¼	34,600
Pacific Mail	34⅝	33⅞	55,400
Adams Express	99	99	100
United States Express	59	58⅝	100
Total sales			206,075

The following were the closing quotations of Government bonds:

	Bid.	Asked.
Currency 6s	117½	117⅝
Sixes, 1881, reg	118⅛	118⅜
Sixes, 1881, c	118⅜	118⅝
5-20s, 1862, reg	114⅜	114⅝
5-20s, 1862, c	114⅜	114⅝
5-20s, 1864, reg	116⅛	116⅜
5-20s, 1864, c	116⅜	116⅝
5-20s, 1865, reg	117⅜	117⅝
5-20s, 1865, c	118	118⅛
5-20s, 1865, n. r	117	117¼
5-20s, 1865, n. c	117¼	117½

The following were the bids for the various State securities:

Alabama 5s, 1883	39	N. Y. C. B'ty Loan	105
Alabama 5s, 1886	39	N. Y. 6s, G. L'n, '81	111
Arkansas 6s, Fund'd	20	N. Car. 6s, old, J. & J.	24½
Ar. 7s, L. R. & F. R. iss.	12	N. Car. 6s, A. & O	24
Ark. 7s, Mem. & L. R.	12	N. C. 6s, N. C. R., J. & J.	53
Ar. 7s, L. R. P. B. & N. O.	12	N. C. 6s, do., A. & O.	53
Ar. 8s, Little R. & Ft. S.	10	N. C. 6s, do. c. off J. & J.	36
Ar. 7s, Ark. Cen. R.	12	N. C. 6s, do. c. off A. & O	36
California 4s	103⅜	S. C. Fund'g act '66, 1	17
Connecticut 6s	105	N. C. Fund'g act, '66, 2	16
Georgia 7s, new bds	89	N. C. New bds, J. & J.	13½
Illinois coup. 6s, '77	99	Ohio 6s, '75	99
Illinois coup. 6s, '79	99	Ohio 6s, '81	103
Ill. coup. 6s, War L	99	Ohio 6s, '86	103
Kentucky 6s	99	Rhode Island 6s	102
Louisiana 6s	24	South Carolina 6s	32
Louisiana 6s, new b	24	S. Car. 6s, J. & J.	30
La. 6s, new F. Debt	21	S. Car. 6s, A. & O	30
La. 7s, Penitentiary	21	S. Car. Fund'g act, '66	32
La. 6s, Levee bonds	25	S. Car. L. C. '89, J. & J.	30
La. 8s, Levee bonds	25	S. Car. L. C., '89, A. & O.	20
La. 8s, Levee bds.	25	S. Car. 7s of '88	31
Michigan 6s, '78-'79	101	S. Car. Non-F. bds	7½
Michigan 6s, '83	101	Tenn. 6s, old	78
Michigan 7s, '90	104	Tenn. 6s, old, c. & i	78
Missouri 6s, due '75, '76	98	Tenn. 6s, new bds	77½
Missouri 6s, due '76, '77	96	Tenn. 6s, new, ex c	56
Missouri 6s, due '77, '78	94½	Tenn. 6s, new series	55½
Virginia 6s, old	35	Virginia 6s, old	35
Va. 6s, new bds., '66, 3	36	Va. 6s, new bds., '66	36
Va. 6s, new bds., '67, 3	36	Va. 6s, new bds., '67	36
Va. 6s, Consol. bds	56	Va. 6s, Consol. bds	56
Va. 6s, ex matured '71	43	Va. 6s, ex matured '71	43
N. Y. R. R. by Loan	105	Va. 6s, Def'd bds	11

And the following for Railway Mortgages

Alb. & Sus. 1st Bds	105½	Cleve. & Tol. S. F.	102
Ald. & Sus. 2d Bds	102	Cleve. & Tol. n. bs.	104½
Alb. & Sus. 3d Bds	99	C., P. & A., n. bds	99
B. H. & E. 1st	93⅜	Det., M. & T. bds	101
B., C. R. & M. 1st 7s	48	Buf. & Erie, n. bds	100
C. & O. 6s, 1st	47	Buf. & St. L. 7s	100
C. & O. Ex Coup	36	Kal. & W. 1st	82
Chi. & Alt. 1st	105	Lake Shore div. bds	99¼
Chi. & Alt. Inc	100½	L. S. con. coup. 1st	99½
Jol. & Chi. 1st	105	L. S. con. reg. 1st	99½
St. L. J. & Chi. 1st	97	L. S. con. coup. 2d	91½
C., B. & Q. Consol's	102	L. S. con. reg. 2d	91½
C., R. I. & P. 1st	103⅝	M. Cen. con. 7s, 1902	101
C. R. I. & P. 2d	87	M. C. 1st 8s, '82, S. F.	112
C. R. of N. J. 1st	103	N. Y. C. & H. 6s	100½
C. R. of N. J. Con. C	104½	N. Y. Cen. 6s, R. E.	94
Am. Dock & Imp. B	99	N. Y. Cen. 6s, Sub	94
M. & St. P. 1st 7s, P. D.	108	N. Y. Cen. 7s, '76	102½
M. & St. P. 7s, G. R. D.	81¼	N. Y. C. & H. 1st, coup.	111
M. & St. P. 1st, L. C. D	87½	H. R. 7s, 2d S. F., '85	106
M. & St. P. 1st M. C.	72	H. R. 7s, 3d, '75	100
M. & St. P. 1st M. C. & I	80	Har. 1st 7s, coup	109½
M. & St. P. 2d	77	North Mo. 1st	83
Chic. & N. W. es. S. F.	103	Ohio & Miss. con. S. F.	96½
Chic. & N. W. 1st. L. B.	99	Ohio & Miss. con	96
Chic. & N. W. 1st. C. B.	99	Ohio & Miss. 2d con	80½
Chic. & N. W. 1st. Sp	99	Cen. Pac. G. bs	93⅜
Chic. & N. W. C. I. S.	82	Cen. Pac. S. J. B	82¾
Chic. & N. W. R. G. B.	81½	Cen. Pac. C. & O. 1st	81½
Galena & Chi. Exten.	105	West Pac. bs	85
Galena & Chic. 2d	101½	Union Pac. 1st M. bs	90¼
Chic. & Mil. 1st	99	Union Pac. L. G. 7s	89⅞
Winona & St. P. 1st	75	Union Pac. S. F	80¾
C., C. & I. C. 1st 7s, S. F.	104½	Pac. R. of Mo. 1st	90½
Del., Lack. & W. 1st	101	Pac. R. 7s g. by Mo	98
Del., Lack. & W. 2d	107	P., F. W. & C. 1st	106
Del., Lack. & W. 7s, C.	107	Clev. & P. 3d M	101
Mor. & Essex 1st	108	Col., C. & Ind. C. 1st	67
Mor. & Essex 2d	104½	R., W. & O. C. 1st	91¾
Mor. & Ess. Bds. 1900	96½	St. L. & I. M. 1st	93
Mor. & Ess. Consol'n	55	St. L. & I. M. 2d	71
Mor. & Ess. 7s, 1871-1901	99	Alton & T. H. 1st	102
Erie 1st, Extended	102½	Alton & T. H. 2d In	90
Erie 2d 7s, 1879	101	Alton & T. H. 2d In	73½
Erie 3d 7s, 1883	100	Bell. & S. I. R. 1st, 8s	95
Erie 4th 7s, 1880	97	Pol., Peo. & W. E. D.	80½
Erie 5th 7s, 1888	94½	Pol., Peo. & W., W. D.	70
Long Dock Bonds	101	Pol. & W. 1st Ext	88
Han. & Jo. L. G.	104	Pol. & W. 1st, St. L. D.	66
Han. & St. Jo. 8s, Con.	89	Pol. & W. Eq. bs	43
Ill. Cent. 7s, 1875	101	Pol. & W. C.	48
Ind., Bloom. & W. 1st	46	Gt. West. 1st '88	81¾
Mich. So. 7s, 24	100	Quin. & Tol. 1st '90	50
Mich. So. N. I. S. F. d. 7s	104¾		

And the following for City Bank Shares:

America	148	Market	115
American Ex	114	Mechanics'	135
Butchers' & Drovers'	130	Merchants'	117
Chemical	1300	Merchants' Ex	100
City	300	Nassau	105
Citizens'	124	New-York	153
Commerce	118	North America	95¼
Corn Exchange	125	Pacific	160
First National	200	Park	138
Fourth National	96	People's	138
Gallatin National	130	Republic	104½
German American	95	Union	130
Irving	124		

PHILADELPHIA STOCK PRICES—JAN. 5.

Telegraphed to Messrs. E. D. Randolph & Co.

	Bid.	Asked.
City 6s, Old	101½	.....
City 6s, New	104⅜	.....
Camden & Amboy R. R.	128½	129
Pennsylvania R. R.	106⅜	107
Philadelphia & Reading R. R.	103¼	103⅛
Lehigh Valley R. R.	61¾	61⅜
Catawissa R. R. Preferred	41	41¼
Philadelphia & Erie R. R.	17½	17⅝
Northern Central R. R.	32½	33
Lehigh Navigation	49⅜	49½
Lehigh Gold Loan	97½	97⅜

The earnings of the St. Louis, Iron Mountain and Southern Railway Company for the month of December were:

1874—686 miles	$385,000 00
1873—653 miles	221,348 18
Increase	$163,651 82

The Hoffman Fire Insurance Company, No. 130 Broadway, have declared a dividend of *Five ₰ cent.*, payable on demand.

The Maryland Coal Company, of Allegany County, Md., have declared a dividend of *One Dollar and a Half ₰ Share*, payable on and after Feb. 1.

The Globe Fire Insurance Company, of this City, have declared the usual semi-annual dividend of *Five ₰ cent.* and an extra dividend of *Three ₰ cent.*, both payable on demand.

The Firemen's Trust Insurance Company, of Brooklyn, have declared a semi-annual dividend of *Six ₰ cent.*, payable on demand.

The Central New-Jersey Land Improvement Company have declared an annual scrip dividend of *Seven ₰ cent.*, payable on Wednesday, the 29th inst.

Messrs. Walter Watson and W. J. Ingram, No. 62 Wall street, are agents for the Merchants' Bank of Canada, and transact a general banking business.

BANKING AND FINANCIAL.

☞ HIGHEST AND LOWEST PRICES OF STOCKS in 1874. See HASSLER'S FINANCIAL REPORT, No. 209. Five cents. No. 7 Wall st.

COMMERCIAL AFFAIRS.

NEW-YORK, Tuesday, Jan. 5, 1875.

The receipts of the principal kinds of Produce since our last have been as follows:

Ashes	25	Hides, bdls	1,321
Beans, bush	800	Leather, sides	35,006
Bees-wax, pk	1	Pea-nuts, bags	181
B. W. Flour, bags	300	Rice, pkg	70
Broom Corn, bales	50	Resin, bbls	344
Flour, bbls	16,800	Spirits Turp., bbls	1
Meal, bbls	300	Tar, bbls	500
Meal, bags	3,200	Red-oil, bbls	51
Wheat, bushels	38,000	Skins, bales	3
Corn, bushels	43,000	Beef, pkg	152
Oats, bushels	27,100	Pork, pkg	1,063
Rye, bushels	300	Cut-meats, pkg	807
Malt, bushels	2,950	Lard, tcs	1,092
Barley, bushels	3,000	Butter, pkg	2,795
Peas, bushels	500	Cheese, pkg	3,214
Seed, bags	296	Dressed Hogs, No	1,152
Oat-meal, bags	200	Sugar, bbls	375
Cotton, bales	7,021	Starch, pkg	100
Copper, bbls	174	Hops, pkg	3,000
Dried Fruit, pkg	49	Spelter, pkg	559
Eggs, bbls	410	Tallow, pkg	21
Flax, bales	312	Tobacco, hhds	19
Grease, pkg	283	Tobacco, pkg	252
Hops, bales	221	Wool, bales	16
Hides, No	1,458	Whisky, bbls	1,128

COFFEE—Has been quiet, but held firmly to-day. The stock of Rio in first hands has been increased to 7,703 bags by the arrival of the Kremlin with 4,812 bags. Sales, in invoices quoted at 20c. @20c.; Rio, ordinary to prime cargoes, 17¾c. @21¼c.; Laguayra, 19c. @20c.; Maracaibo, 18½c. @21c.; Mocha, 29c. @30c., gold. Messrs. William Scott & Sons make the receipts and stocks and afloat as follows: Rio, in store, on which 86,090 bags were landed, and all the distributing ports 1,451,844 bags, sales in 1874 at this port, 827,308 bags, (of which 85,260 bags were Santos,) and at all the distributing ports, 1,491,118 bags.

COTTON—A more active movement has been reported for early delivery at an advance of ¼c. ₰ lb. The business has been largely speculative, and reported as against maturing contracts. Sales have been reported since our last of 3,040 bales, (of which 887 bales were placed on last evening,) including 821 bales to shippers, 220 bales to spinners, 1,500 bales to speculators, and 500 bales in transit. Of the sales 500 bales were to-day. The dealings for forward delivery have likewise been quite extensive, resulting in an improvement of 5-16c. ₰ lb., influenced by the diminished receipts at the shipping ports, and the firmer range of values reported from Liverpool, but closing dull. ₰ lb. of the figures of the day, under more liberal offerings, leaving off about steady at our quotations. Sales have been reported since our last of 49,900 bales, (of which 6,900 bales were on last evening and 43,000 bales to-day,) with 12,300 bales more at the calls, on the basis of Low Middling, with 3 January options closing at 14 9-16c. @14 19-32; February, 14 31-32c. @15c.; March, 15 15-32c @15 ½c.; April, 15 29-32c.; May, 15 ¾c. @15 27-32c.; June, 16 17-32c.; July 16 3c. @16 25-32c.; August, 16 7-16c. @17c. ₰ lb..... The receipts at this port to-day were 7,021 bales, of which 1,697 bales were by railway; and at all the shipping ports, 9,964 bales. The following quotations are based on Cotton according to the new classification:

New-York Quotations, based on American Standard of Classification.

	Uplands.	Alabama.	N. Orleans.	Texas.
Ordinary	12	12	12⅜	12
Good Ordinary	13⅜	13⅜	13⅝	13⅝
Low Middling	14⅛	14¼	14¼	14½
Middling	14⅝	14¾	15	15
Good Middling	15	15⅛	15⅜	15⅜
Middling Fair	15½	15⅝	15⅞	15⅞
Fair	16⅛	16¼	16⅜	16⅜

FLOUR AND MEAL—There has been a moderate movement noted in State and Western Flour on the basis of previous quotations. The main inquiry has been for superfine shipping extras (partly for the West Indies,) and medium trade extras within a narrow range. The sales since our last have been 10,700 bbls. of all grades, including No. 2 Flour at $3 75@ $4 15, mostly at $3 90@$4; inferior to fancy Superfine State and Western at $4 16@$4 60, mainly at $4 25@$4 50; inferior to very good Extra State at $4 85; very choice and fancy do. and City Mills Extra, $5 55@$5 75; poor to very good shipping extra Western at $4 75@$7 25; poor to choice Family Extras.....Canada Flour quite dull and nominal. Rye Flour has been in moderate request, within the range of from $4 @$5 50 for fine to very choice Superfine. Sales, 350 bbls. Buckwheat Flour on private terms. Corn-meal has been in active request, within a wide range of from $4 15@$4 60 for poor to very choice Yellow Western, $4 60 for Golden Ear, $4 10@$4 50 for Jersey, and $4 75@$4 80 for Brandywine. Sales have been reported of equal to 1,900 bbls. Corn-meal, in sacks, continues in stock demand at from $1 50@$1 90 ₰ 100 lbs.....Oat-meal rules quiet, within the range of $7 25@$8 25 ₰ bbl.....Buckwheat Flour continues in limited request, within the range of $2 75@$3 10 ₰ 100 lbs.

GRAIN—Spring Wheat has been in less demand, especially for export, and rather weaker as to values, though no decline has been established; but dull and more or less nominal. Sales have been reported since our last of 119,000 bushels at $1 14@$1 17 for good to choice No. 2 Milwaukee Spring, in store and afloat, chiefly at

THE REAL ESTATE MARKET.

At the Exchange, yesterday, Tuesday, Jan. 5, William Kennedy sold, by order of the Supreme Court, in foreclosure, Frederick Smythe, Esq., Referee, the plot of land, 300 by 206.6, running through from Thirteenth street to Fourteenth street, 88 feet east of Avenue C; William Hastings & Son, second mortgagees, bought the property for $115,500. Jere. Johnson, Jr., sold, by order of the Supreme Court, in foreclosure, Oliver J. Wells, Esq., Referee, five lots, each 25 by 99.11, on the north side of One Hundred and Thirtieth street, 125 feet west of Grand Boulevard, and three lots, each 25 by 99.11 on the south side of One Hundred and Thirty-first street, 250 feet east of Twelfth avenue, as follows: The two lots on One Hundred and Thirtieth street, 125 feet west of Grand Boulevard, were bought by Thomas Murphy for $1,500 each. The lot next adjoining was bought by the executors and heirs of Howell L. Williams, plaintiffs in the legal action, for $1,500; the lot adjoining to the same buyers for $1,400, and the lot adjoining to the same buyers for $2,000. The lot on the south side of One Hundred and Thirty-first street, 250 feet east of Twelfth avenue, to the same buyer for $1,125, and the two lots adjoining to the same buyer for $1,100 each. Two lots on the west side of Grand Boulevard, 25 feet south of One Hundred and Thirty-first street, and two lots on the south side of One Hundred and Thirty-first street, 860 feet west of Fifth avenue, belonging to the owner and defendant in the suit, through which the lots as above were sold, were sacrificed in the same bill, but as the lots involved in the foreclosure suit did not bring more than one-half their supposed value, and $2,775 less than the amount of the mortgage of $14,000, to satisfy which they were sold, the owner withdrew them from sale. Hugh N. Camp sold by order of the Supreme Court in foreclosure, George Waddington, Esq., Referee, the plot of land, 100 by 100, on the north-east corner of Oxford place and Central avenue, West Farms, Twenty-fourth Ward, to R. M. Harrison, plaintiff in the legal action, for $1,950.

A. J. Bleecker, Son & White adjourned the foreclosure sale of the premises on the north-west corner of Jefferson avenue and King's Bridge road to Tuesday, Jan. 12.

TO-DAY'S AUCTIONS.

The auctions announced for to-day at the Exchange are as follows:

By A. H. Muller & Son, Supreme Court foreclosure sale, W. V. McDaniel, Esq., Referee, of the house and plot of land on the north-west corner of Madison avenue and Fifth street, Tremont, Twenty-fourth Ward, 162 by 103.

By E. A. Lawrence & Co., Supreme Court foreclosure sale of the plot of land, 75 by 100.9 on the north side of Ninety-sixth street, 100 feet east of Third avenue, and the plot of land 50 by 100 on the east side of Third avenue, 50.9 feet north of Ninety-sixth street.

By Hugh N. Camp, Supreme Court foreclosure sale, G. Irvine Whitehead, Esq., Referee, of the store and lot, 23.7 by 99, known as No. 228 Pearl street, near Fletcher street.

By Samuel A. Steele, Supreme Court foreclosure sale, William Sinclair, Esq., Referee, of the plot of land, 100 by 100.11, on the north side of Ninety-seventh street, 150 feet west of Second avenue.

EXCHANGE SALES, TUESDAY, JAN. 5.

NEW-YORK.

By William Kennedy.

1 plot of land, 300x206.6, running through from 13th st. to 14th st., 88 ft. w. of Avenue C.....$115,500

By Jere. Johnson, Jr.

5 lots, each 25x99.11, n. s. of 130th st., 125 ft. w. of Grand Boulevard, each $1,500.....$4,500
1 lot, 25x99.11, n. s. of 130th st., adjoining..... 1,500
1 lot, 25x99.11 s. s. of 131st st., adjoining..... 2,000
1 lot, 25x99.11 s. s. of 131st st., 250 ft. e. of 12th av..... 1,125
2 lots, each 25x99.11, on s. s. of 131st st., adjoining, $1,100 each..... 2,200

By Hugh N. Camp.

1 plot of land, 100x100, on n. e. corner of Oxford place and Central av., West Farms, (Twenty-fourth Ward)..... $1,950

RECORDED REAL ESTATE TRANSFERS.

NEW-YORK.

Monday, Jan. 4.

Baxter st., s. w. corner Franklin st., 23x51.9; Thomas Carey to Julia Elsbach.....$16,300
Breecker st., No. 202, 25x80; O. J. Degert to Anna V., wife of J. A. Forrester..... 20,000
Same property; James C. Forrester to Gilbert J. Degert..... 20,000
Cherry st., s. s., 150 ft. w. of Jackson st., 25x94.11; W. H. Gurney to G. Tebonet..... 14,000
Henry st., s. s., 125 ft. e. of Scammel st., Fair's Row, Block; W. Hodgkiss to T. School..... 24,000
Pontine st., n. s., lot No. 295 map, Irish play, Port Morris, &c., 25x100; Elizabeth B., wife of George G. Parker, to Catherine Hodges..... 1,400
Prospect place, s. w. corner 436 st. 17.1x54; Ledney, wife of John H. Bird, to Michael and Mathias M. Francsford..... 11,625
11th st., n. w. corner Dry Dock st., 42.6x86.5; E. F. McCahill, to M. Levi..... 30,000
11th st., No. 620, s. s., 18.9x83.9; Henry Danz, to William Beinke..... 9,200
44th st., s. s., 400 ft. w. of 5th av., 50x100.4; J. Kavanagh, to J. H. Hunting..... 50,000
68th st., n. s., 12 ft. e. of 6th av., 25x100.5; A. Dold to M. Furtech..... 18,000
63d st., s. s., 150 ft. w. of 1st av., 25x100.5; W. J. Bargave, to Margaret A., wife of John O'Connor..... 19,500
80th st., s. s., 244.2 ft. w. of Lexington av., 18.4 x102.2; Benjamin Tatham, to Caroline M., wife of Augustus T. Clur..... 15,500
120th st., e. s., 400 ft. s. of 2d av., 25x100.11; H. Mackey to E. Thompson..... 3,000
127th st., s. s., 215 ft. e. of 4th av., 18.9x 99.11; J. H. Bates to Annie E., wife of J. H. Brown..... 16,000
142d st., n. s., 175 ft. e. of Boulevard, 200x 99.11; J. H. Hunting to J. Kavanagh..... 32,000
Fordham av., n. e. corner of 2d st., 250x150, West Farms: Avenue C, s. e. corner of 1st st., 200 ft. to 2d st., thence 75x200 ft. to 1st st., thence 75 ft. to Clinton av., w. s., lot 16x17, Mount Hope, &c., 100x80; Madison av., w. s., 258 ft. s. of Williams' Bridge Road, 100x100; Thomas av., e. s., 332.2 ft. n. of Welch st., 100x311.1x100x306.11; William H. Williams to the City of New-York..... 43,294
1st av., e. s., 75 ft. n. of 24th st., 25.3x100; foreclose; J. Necks to B. Wright..... 5,000
3d av., e. s., 99.5 ft. s. of 31st st., 40x95; 31st st., s. s., 95 ft. e. of 3d av., runs e. 22.8, thence s. w. 99.1, thence w. 3, thence n. 19, thence w. 9, thence n. 79.6; 31st st., s. s., 450 ft. w. of 2d av., runs w. 34, thence s. 98.4, thence e. 15, thence n. 98.9; Trustees Madison Square Presbyterian Church, New-York, to Thomas J. Mechan..... 41,250
3d av., e. s., 50.6 feet n. of 90th st., 25x100; Harriet A. Fanshaw, widow, to Francis L. and Townsend Wandell..... nom.
Same property, Asa L. Shipman, Executor, of Daniel Fanshaw to F. L. and T. Wandell..... 7,150
4th av., w. s., 63.5 ft. s. of 125th st., 18.9x80, foreclose, William Sinclair, Referee, to William H. Potter..... 3,200

LEASES RECORDED.

Broadway, No. 13, first loft, two years, per year $1,800
Clarkson st., No. 15, 5½ years, per year..... 1,000

CITY REAL ESTATE.

FOR SALE OR EXCHANGE.—FOUR ELIGIBLE 4 lots in the lower part of this city. Warded, streets curbed, guttered, and sewered; legally encumbered; would take a medium-sized house in a good neighborhood (below 34th st. preferred) in exchange. Address PLANNER, Station D, New-York.

FOR SALE OR TO RENT, FOR ONE OR MORE years, the entire large family and elegant new four-story house, new and especially furnished, situated on 73d st., between 5th and Madison ave. This is a rare opportunity for any one desiring a really elegant house. HOMER MORGAN, No. 2 Pine st.

FOR SALE.—THREE-STORY AND BASEMENT STONE-FRONT brown-stone house; all improvements; No. 109 Lexington av., between 30th and 31st sts. Apply to COUDERT BROTHERS, No. 49 Wall st.

ELEGANT DWELLINGS CHEAP.—NOS. 7 west, and 18 and 19 east 57th st.; 41 West 56th st.; 1 East, 18 West 55th; 10 West 53d; 5th av., 5, 42, 469, 614, 675, 740, 751, 5.9. V. B. STEVENSON, JR., No. 11 Pine st., and No. 31 East 17th st.

BROOKLYN REAL ESTATE.

STORES FOR SALE OR TO LET—NOS. 5 AND 7 Atlantic dock, fronting East river. Also, lofts No. 76 Jay and 16 Bridge. Apply to W. H. SCHIEFFELIN & CO., No. 170 William st.

COUNTRY REAL ESTATE.

AN EXCELLENT FARM FOR SALE.—145 acres, fifty miles from New-York; well watered; good wood land; a fine young apple orchard in bearing, and other fruit; good buildings; 2-story house, 11 rooms; four miles from Harrison Railroad; near churches, schools, stores, and post office; healthy location. Address A. O. care E. EGGLESTON, Saxton Centre, West-Chester County, N. Y.

ORANGE, N. J.—COUNTRY HOUSES, LANDS, and village lots for sale; a great variety. Also, furnished and unfurnished houses to let for season or year, by WALTER H. SMITH, formerly Blackwell & Smith, orange, corner of Cania and Cleveland sts.

DWELLINGS TO LET.

TWENTY-ONE MOST DESIRABLE PRIvate residences, belonging to the North American Life Insurance Company, to let per annum from $300 to $6,000, to responsible tenants. Apply to JAMES PRICE, No. 200 Park row, Manager.

CHEAP HOUSES, CHEAP APARTMENTS, AND cheap rooms, for all, and cheap rents and also cheap stores, and building sites for shop or light manufacturing. JAMES PRICE, No. 200 Hudson st.

TO LET—WITH OR WITHOUT STEAM POWER, Nos. 163 and 170 West Houston st.; five stories and cellar, 50x84. Inquire on premises.

STORES, &C., TO LET.

OFFICES TO LET IN TIMES BUILDING.

SPLENDID OFFICES TO LET IN THE FIRE-PROOF TIMES BUILDING.

Apply at TIMES COUNTING-ROOM.

TO LET—A FINE STORE AND BASEMENT IN 8TH av., near 23d st. Also, a fine store, with plate-glass windows, in the new brown-stone building No. 266 West 23d st., near 8th av.; rent, $1,066. Also, the three-story and basement house No. 273 West 23d st.; would be rented very low till May next. J. DENHAM & CO., No. 263 West 23d st.

DOUBLE AND SINGLE LOFTS TO LET ON Vesey, Barclay, and Leonard sts., Broadway block. Inquire of J. & J. W. MEEKS, No. 30 Vesey st., room No. 6.

TO LEASE—ALL THE LOFTS OF THE SIX-story store, No. 20 Beekman st., through (185 feet) to Spruce st.; fine light; near new Post Office; steam power can be had. JAMES PRICE No. 200 Hudson st.

HOUSES & ROOMS WANTED.

WANTED TO HIRE FROM THE 1ST OF MAY, within thirty miles of City, near station, in village, a modern-built house containing all improvements, with large flower and vegetable garden and ample stable and carriage-house. Address, stating lowest rent to first-class tenant, A. W. LAWRENCE, Box No. 289 TIMES UP TOWN OFFICE, NO. 1,257 BROADWAY.

WANTED—A FOUR-STORY HOUSE, FURNISHED or unfurnished, between 4th and 6th avs., below 42d st. State price. Address T. W., Box No. 301 TIMES UP-TOWN OFFICE, No. 1,257 BROADWAY.

COPARTNERSHIP NOTICES.

WE, WHOSE NAMES ARE SEVERALLY UNdersigned, desirous of forming a Limited Partnership pursuant to the laws of the State of New-York, do hereby certify:

First.—That the name or firm under which such partnership is to be conducted is "RICHARD, ISELIN & CO."

Second.—That the general nature of the business intended to be transacted by such partnership is the importing of dry goods, and the general dry goods business, on commission or otherwise.

Third.—That the names of all the general and special partners interested in said partnership are as follows: AUGUSTE RICHARD, WILLIAM E. ISELIN, JOHN G. NEESER and JOHN H. ISELIN, all of whom reside in the City, County, and State of New-York, are the general partners; and ADRIAN ISELIN, who also resides in said City, County, and State of New-York, is the special partner.

Fourth.—That the said ADRIAN ISELIN has contributed the sum of Three Hundred Thousand Dollars ($300,000) as capital to the common stock.

Fifth.—That the period at which the said partnership is to commence is the 1st day of January, 1875, and the period at which the said partnership is to terminate is the 30th day of November, 1877.

Dated the 30th day of December, 1874.

AUGUSTE RICHARD,
WM. E. ISELIN,
JOHN G. NEESER,
By Adrian Iselin, his Attorney in fact.
JOHN H. ISELIN,
General Partners.
ADRIAN ISELIN, Special Partner.

NEW-YORK, Dec. 31, 1874.

DISSOLUTION.—THE COPARTNERSHIP HERETofore existing between the undersigned, under the firm name of WILLIAM KNISELY & CO., expires this day by limitation. WILLIAM KNISELY and CYRUS B. BOSTWICK will settle the liquidation.

Dated NEW-YORK, Dec. 31, 1874.

WILLIAM KNISELY,
CYRUS B. BOSTWICK,
A. McCOLLUM,
C. B. CHAPMAN,
WILLIAM VAN OLINDA.

COPARTNERSHIP.—The undersigned have this day formed a copartnership, under the firm name of WILLIAM KNISELY & Co., and will continue the business of Importing and Jobbing Silk and Foreign Dry Goods at No. 369 Broadway.

Dated NEW-YORK, Jan. 1, 1875.

WILLIAM KNISELY,
CYRUS B. BOSTWICK,
WILLIAM VAN OLINDA,
DAVID W. GLOVER.

DISSOLUTION.—THE COPARTNERSHIP HERETofore existing between the undersigned under the firm name of BARNUTZ, DIEHL & CO is this day dissolved by mutual consent, Mr. AUGUST FICHT withdrawing from the firm.

Dated NEW-YORK, Jan. 1, 1875. JOHN BARNUTZ,
PETER DIEHL,
AUGUST FICHT.

COPARTNERSHIP.

The undersigned have this day entered into copartnership under the firm name of BARNUTZ, DIEHL & CO., for the sale and manufacturing of furniture.

Dated NEW-YORK, Jan. 1, 1875.

JOHN BARNUTZ.
PETER DIEHL.
G. F. P. BLATT.

THE COPARTNERSHIP HERETOFORE existing between the undersigned, under the firm name of SALTZMAN & CO., expires this day by limitation. VICTOR VUILLAUME and AUGUSTE SALTZMAN will sign in liquidation.

VICTOR VUILLAUME,
AUGUSTE SALTZMAN,
NEW-YORK, Dec. 31, 1874. ARNOLD NICOUD.

The undersigned have this day formed a copartnership under the firm name of SALTZMAN & Co., and will continue the business of manufacturing and importing of watches.

VICTOR VUILLAUME,
AUGUSTE SALTZMAN.
NEW-YORK, Jan. 1, 1875.

THE COPARTNERSHIP HERETOFORE existing between the subscribers under the firm name of LOUDERBACK, GILBERT & CO., expires this day by limitation, DAVID LOUDERBACK retiring from business. Either of former copartners will sign in liquidation.

NEW-YORK, Dec. 31, 1874.

DAVID LOUDERBACK,
JOHN A. GILBERT.
WM. H. LOUDERBACK,
EDWIN S. SWEET.

COPARTNERSHIP NOTICE.

The undersigned have this day formed a new copartnership and will continue the importing and jobbing Hardware business heretofore carried on by LOUDERBACK, GILBERT & CO., and under the same firm name.

NEW-YORK, Dec. 31, 1874. JOHN A. GILBERT,
WM. H. LOUDERBACK,
EDWIN S. SWEET.

NOTICE IS HEREBY GIVEN THAT THE copartnership heretofore existing between the subscribers, under the firm of WATT & SHERMAN, is hereby dissolved by mutual consent.

WILLIAM WATT,
JOHN T. SHERMAN.
WILLIAM WATT, JR.
NEW-YORK, Dec. 31, 1874.

The undersigned will continue the importing business as heretofore, at the old stand, Nos. 58 and 60 Leonard st., under the firm name of WILLIAM WATT & CO.

WILLIAM WATT.
WILLIAM WATT, JR.
GEORGE H. DRAPER.

PHILADELPHIA, NEW-YORK, AND PARIS, Jan. 1, 1875.

MR. JOHN NORRIS ROBINSON WITHdraws this day from our firms in Philadelphia, New-York, and Paris, on account of ill-health.

Mr. J. HOOD WRIGHT, heretofore residing in Philadelphia, will become a resident partner in New-York.

Mr. CHARLES H. GODFREY is this day admitted a partner in our firms in Philadelphia, New-York, and Paris, resident in Philadelphia.

DREXEL & CO., Philadelphia.
DREXEL, MORGAN & CO., New-York.
DREXEL, HARJES & CO., Paris.

NEW-YORK, Jan. 1, 1875.

THE UNDERSIGNED HAVE THIS DAY formed a copartnership under the firm name of W. B. MEEKER & CO., No. 29 Wall st., for the transaction of a general banking business. Gold, stocks, bonds, and foreign exchange bought and sold on commission. Collections made on all points in the United States and Canada. Interest allowed on deposits subject to check at sight. We refer, by permission, to Bank of New-York, N. B. A.; Messrs. John J. Cisco & Son. W. B. MEEKER, late Cashier Bank of New-York. W. B. MEEKER, Jr. THOMAS B. MEEKER, Member New-York Stock Exchange.

NEW-YORK, Jan. 1, 1875.

W. B. MEEKER THIS DAY RETIRES from the firm of MEEKER, WORDEN & CO., and the business will hereafter be continued by the remaining partners.

DANIEL T. WORDEN and JAMES H. LEVERICH, under the old firm name of WORDEN & LEVERICH, No. 48 Wall st.

THE FIRM OF I. B. NEWCOMBE & CO. is this day dissolved by its own limitation. I. B. NEWCOMBE will sign in liquidation.

I. B. NEWCOMBE.
NEW-YORK, Jan. 1, 1875. M. E. RIVAS.

THE UNDERSIGNED have this day formed a copartnership under the name of I. B. NEWCOMBE & CO. at No. 17 Broad st. I. B. NEWCOMBE.
NEW-YORK, Jan. 1, 1875 JOSEPH PACKARD.

THE COPARTNERSHIP HERETOFORE existing under the name and style of MYERS BROS. & CO., is this day dissolved by mutual consent. Messrs. F. and H. MYERS will sign in liquidation.

F. MYERS,
H. MYERS,
J. POLLAK.

The undersigned have this day formed a copartnership under the name and style of MYERS BROTHERS, and will continue the manufacturing of cigars.

F. MYERS.
NEW-YORK, Jan. 1, 1875. H. MYERS.

WE HAVE THIS DAY FORMED A COpartnership under the firm name of HORACE R. KELLY & CO. for the transaction of a shipping and Commission business, and for the importation and sale of tobacco, succeeding to the firm of ROBERT E. KELLY & CO., except as to liquidation.

HORACE R. KELLY.
JEAN D'HUMIERES.

THIS PARTNERSHIP HERETOFORE EXisting between JAMES B. CLARK & CO., of No. 158 Chambers st., New-York, is this day dissolved by mutual consent.

JAMES B. CLARK & CO.
(Signed)

P. S.—The business will be carried on as usual by JAMES B. CLARK.

NEW-YORK, Jan. 5, 1875.

ALEXANDER HARGRAVES BROWN, OF Richmond Hill, near Liverpool, and JOHN EDGAR JOHNSON, of New-York, have this day been admitted partners in our house, in this country and England.

BROWN, BROTHERS & CO.

NEW-YORK, Jan. 1, 1875.

OFFICE OF SAMUEL W. BOOCOCK, No. 30 BROAD ST.,
NEW-YORK, Jan. 1, 1875.

MR. J. G. MILLS ENTERS MY FIRM this day as special partner, contributing the sum of $10,000. The firm will hereafter be conducted under the name of S. W. BOOCOCK & CO.

S. W. BOOCOCK.
J. G. MILLS, Special.

THE UNDERSIGNED HAVE THIS DAY formed a co-partnership under the firm name of NICOUD & HOWARD, for the purpose of importing and selling watches and watch movements.

ARNOLD NICOUD,
HIRAM HOWARD,
No. 12 John st.
NEW-YORK, Jan. 1, 1875.

MR. JOHN E. READ AND MR. EDWARD P. HAFF are this day admitted as partners in our firm. HOWARD, SANGER & CO.

JAN. 1, 1875.

MR. FREDERIC L. AUCHINCLOSS IS ADmitted to our firm as a partner, from this date.

JOHN & HUGH AUCHINCLOSS.

NEW-YORK, Jan. 1, 1875.

OFFICE OF MORTON, BLISS & CO.,
NEW-YORK, Jan. 1, 1875.

MR. WALTER WATSON RETIRES FROM OUR firm this day. MORTON, BLISS & CO.

No. 350 BROADWAY, NEW-YORK, Jan. 5, 1875.

MESSRS. JOHN WYLIE BARROW AND ALEXANDER MACLEAN BARROW withdraw from our firm this day. E. S. JAFFRAY & CO.

NOTICE OF COPARTNERSHIP.

We are happy to announce that Mr. HENRY OOTHOUT will be associated with us in business from date.

JAN. 1, 1875. THOMAS DENNY & CO.

SITUATIONS WANTED.

FEMALES.

THE NEW UP-TOWN OFFICE OF THE TIMES.

THE TIMES has established a new Up-town Branch Office for the sale of papers, the reception of advertisements and subscriptions, and the transaction of any business in connection with the paper. It is located at

No. 1,257 Broadway, between 31st and 32d sts.,

and is open daily, Sundays included, from 4 A. M. to 9 P. M.

A NUMBER OF GOOD SERVANTS WANT Situations.—Cooks, laundresses, house-workers, and young girls; also, good colored help, to suit for City or country; German, Swedes, English, French, Irish, &c., promptly supplied at very reduced wages by the Protestant Home Bureau, No. 138 6th av., above 10th st.

AT PELTON & CO.'S, NO. 645 6TH AV., FORmerly with Bedell, will be found a number of very desirable servants, well recommended, both Protestant and Catholic, for City and country; also, waiters, coachmen, &c.

AT NO. 1,325 BROADWAY, NEAR 37TH ST., Mrs. HARDMAN.—Select servants: Protestants, German, Irish, French, Scotch, colored, and Swedish; City or country; lady expert saves employers trouble and disappointment.

A FULL SUPPLY

Of carefully-selected German, English, Irish, Scotch, and Swedish servants, now seeking situations at greatly reduced wages. Apply at Carpenter's old-established Agency, No. 158 West 11th st., corner 6th av.

AT JACQUIN'S FRENCH, GERMAN, AND English Employment Bureau can be obtained first-class servants for all capacities, males and females. No. 624 10th av., corner 36th st.

AT THE SWEDISH SERVANTS' OFFICE, No. 108 East 27th st., Swedish, German, French servants only; male and female, all Protestants. MAURICE LINDQUIST, (Swede,) proprietor.

CHAMBER-MAID.—BY A GERMAN GIRL, AS Chamber-maid and waitress; is very fond of children; is a good plain sewer; would be willing to do general house-work in a small family; City or country. Apply at Mrs. Whitfield's, No. 260 6th av., between 16th and 17th sts.

CHAMBER-MAID AND WAITRESS.—BY A neat, tidy, willing, and obliging young woman, who is an experienced chamber-maid and an excellent waitress, and can furnish the very best reference. Can be seen at Odell's Agency, No. 109 West 34th st., corner of Broadway.

CHAMBER-MAID.—BY A PROTESTANT GIRL as chamber-maid and seamstress, or parlor-maid and seamstress; understands her business perfectly; has good references; City or country. Apply at A. Pelton & Co.'s, No. 645 6th av.

CHAMBER-MAID.—BY A COMPETENT GIRL TO do chamber-work and waiting or chamber-work and sewing in a private family; is willing and obliging; eight years' good City reference. Can be seen for two days at No. 525 6th av.

CHAMBER-MAID—LAUNDRESS.—BY A first-class chamber-maid; also a first-class laundress; have lived together and would like to live together again; have good City reference from last place. Call at No. 471 5th av.

CHAMBER-MAID.—BY A NEAT, ACTIVE YOUNG woman, as chamber-maid and waitress, or chamber-work and care of children; can operate; is a neat sewer; City or country; best City reference. Call at No. 205 West 27th st., near 7th av., first floor.

CHAMBER-MAID AND WAITRESS.—BY A Swedish girl, speaking English; is neat; willing to be useful; nine months in this country; wages no object. Call at the Swedish Servants' Office, No. 108 East 27th st., near 4th av., over Russian baths.

CHAMBER-MAID.—BY A LADY FROM AN EXCELlent chamber-maid and seamstress, who has been in her family for seven years. Call for two days, between the hours of 11 and 2, at No. 206 Madison av.

CHAMBER-MAID. — BY A RESPECTABLE young girl as chamber-maid and waitress or plain seamstress; has the best City reference. Call for two days at No. 166 East 56th st.

CHAMBER-MAID, &c.—BY A YOUNG GIRL (Protestant) as chamber-maid and waitress. Call at No. 4 Dominick st.

CHAMBERMAID.—BY A RESPECTABLE YOUNG girl, as chambermaid and waitress; good reference. Address No. 882 6th ave.

CHAMBER-MAID.—BY A WELSH GIRL AS chamber-maid. Apply for two days at No. 327 East 12th st.

CHAMBER-MAID.—BY A YOUNG WOMAN AS first-class chamber-maid and laundress; best city reference. Call or address No. 246 East 45th st.

COOK—LAUNDRESS.—BY SWEDISH MOTHER and daughter; both are well-trained servants; mother as first-class cook or laundress; daughter as waitress or laundress: both are thoroughly competent; best of City references, verbal. Call at Swedish Servants' Office, No. 108 East 27th st.

COOK.—BY A FIRST-CLASS PROTESTANT COOK, or where she has a kitchen-maid; is a good manager, and understands all kinds of hot and cold cooking; preserves, jellies of all kinds; excellent City references. Can be seen at No. 1,225 Broadway.

COOK.—BY A RESPECTABLE PERSON AS FIRST-class cook; understands all kinds of cooking and courses of dinners, soups, pastry, game, and entrees; is a first-class baker; good reference. Call at No. 737 6th av., corner 42d st.

COOK.—BY A COMPETENT FRENCH WOMAN, who recently arrived from France; is a good cook, and would not object to do part of the washing; has excellent references from Paris. Call at No. 621 6th av., between 36th and 37th st.

COOK.—BY A PROTESTANT WOMAN, WHO IS A first-rate cook in everything; capable and reliable; or cook, washer, and ironer in a family; has good reference. Can be seen at the Home Bureau, No. 138 6th av., above 10th st.

COOK, &c.—BY A GERMAN YOUNG WOMAN; who is a good cook, washer, ironer, or general housework; is country or City; has good references. Can be seen at the Protestant Home, No. 138 6th av., above 10th st.

COOK.—BY A PROTESTANT WOMAN AS PLAIN cook and to assist with the washing in a small private family; good City reference; a good home preferred to wages. Call at No. 348 West 37th st., second floor, front room

COOK.—BY A PROTESTANT WOMAN, WHO IS A first-rate cook in everything; capable and reliable; or cook, washer, or ironer in a private family; has good reference. Can be seen at the Home Bureau, No. 138 6th av., above 10th st.

COOK-CHAMBER-MAID.—BY TWO PROTestant girls; one as cook, the other as chamber-maid and waitress; together or separate; in City or country. Call at No. 409 West 26th st., between 9th and 10th avs.

COOK-CHAMBER-MAID.—BY TWO RESpectable girls; one as cook, washer and ironer, other as chamber-maid and waitress, or seamstress; good City reference from their last place. Apply at No. 242 East 55th st.

COOK AND WASHER.—BY A SWEDISH GIRL; eight months' references; speaks English; is a good cook and baker; is neat, honest, willing, tidy, and agreeable with servants. Call at the Swedish servants' office, No. 108 East 27th st., near 4th av.

COOK.—BY A FRENCH WOMAN AS COOK IN A private family; makes nice soups, desserts, &c.; will assist with the washing if required; can furnish excellent testimonials; wages, $16. Apply at Odell's French Bureau, No. 109 West 34th st., corner Broadway.

COOK.—BY A RESPECTABLE YOUNG FRENCH woman as first-class cook in a private family; thoroughly understands cooking in all its branches; has excellent City reference. Apply at Bedell's, No. 340 4th av.

COOK.—BY A RESPECTABLE WOMAN AS FIRST-class cook; makes all kinds of soups, desserts, jellies, preserves, pastry, creams, ices, &c.; can furnish unexceptionable reference. Apply at Odell's Agency, No. 109 West 34th st., corner of Broadway.

COOK, &c.—BY A GERMAN YOUNG WOMAN, who is a good cook, washer, ironer, or general housework, or country or City, has good references. Can be seen at the Protestant Home, No. 138 6th av., above 10th st.

COOK, &c.—BY A RESPECTABLE WOMAN, AS cook, washer, and ironer, or to do general house-work in a small private family; good City reference. Can be seen for two days at No. 91 Greenwich av.

COOK.—BY A REAL CHEF OR FIRST-CLASS German French cook; is excellent in hot and cold jellies, and all kinds of fine artistic cooking. Can be seen at No. 1,223 Broadway, French Office.

COOK.—BY A FIRST-CLASS FAMILY COOK; IS AN excellent milk and butter cook, also a good baker, meat and pastry cook, and good on all kinds of soups. Can be seen at No. 1,233 Broadway, French Office.

COOK.—BY A FIRST-CLASS COOK, IN A PRIVATE family; willing to assist with washing and ironing; City or country; is very neat and obliging; eight years' good City reference. Can be seen for two days at No. 525 6th av.

CHAMBER-MAID—LAUNDRESS.—BY A first-class chamber-maid; also a first-class laundress; have lived together and would like to live together again; have good City reference from last place. Call at No. 471 5th av.

CHAMBER-MAID.—BY A NEAT, ACTIVE YOUNG woman, as chamber-maid and waitress, or chamber-work and care of children; can operate; is a neat sewer; City or country; best City reference. Call at No. 205 West 27th st., near 7th av., first floor.

CHAMBER-MAID AND WAITRESS.—BY A Swedish girl, speaking English; is neat; willing to be useful; nine months in this country; wages no object. Call at the Swedish Servants' Office, No. 108 East 27th st., near 4th av., over Russian baths.

CHAMBER-MAID.—BY A LADY FROM AN EXCELlent chamber-maid and seamstress, who has been in her family for seven years. Call for two days, between the hours of 11 and 2, at No. 206 Madison av.

CHAMBER-MAID. — BY A RESPECTABLE young girl as chamber-maid and waitress or plain seamstress; has the best City reference. Call for two days at No. 166 East 56th st.

CHAMBER-MAID, &c.—BY A YOUNG GIRL (Protestant) as chamber-maid and waitress. Call at No. 4 Dominick st.

CHAMBERMAID.—BY A RESPECTABLE YOUNG girl, as chambermaid and waitress; good reference. Address No. 882 6th ave.

CHAMBER-MAID.—BY A WELSH GIRL AS chamber-maid. Apply for two days at No. 327 East 12th st.

CHAMBER-MAID.—BY A YOUNG WOMAN AS first-class chamber-maid and laundress; best city reference. Call or address No. 246 East 45th st.

COOK—LAUNDRESS.—BY SWEDISH MOTHER and daughter; both are well-trained servants; mother as first-class cook or laundress; daughter as waitress or laundress: both are thoroughly competent; best of City references, verbal. Call at Swedish Servants' Office, No. 108 East 27th st.

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COOK.—BY A FIRST-CLASS FRENCH COOK, A Cordon bleu, who thoroughly capable of taking the place of a man and act as cook and house-keeper. Seen at French Office, No. 1,233 Broadway.

COOK.—BY A FIRST-CLASS ENGLISH COOK; CAN take entire charge of her kitchen; City or country; best City reference from last place. Apply at No. 117 West 24th st., rear.

COOK.—IN CITY OR COUNTRY, BY A RESPECTable woman; understands all kinds of soup and game dishes, good pastry baker; best City reference. Can be seen for two days at No. 699 3d av., near 44th st.

COOK.—BY A FIRST-CLASS PROTESTANT COOK in a private family; City or country; good City reference. Call two days at No. 349 East 23d st.

COOK.—BY A GOOD PLAIN COOK; WILL AScist in washing; good City reference. Call at No. 247 West 16th st.

COOK.—BY A FIRST-CLASS ITALIAN COOK; best City references. Can be seen at the French office, No. 1,233 Broadway.

DRESS-MAKER.—A FIRST-CLASS DRESSmaker, cuts and fits in the French style would like to make a few engagements. $2 50 per day; can give references from the first ladies in the City. Call at No. 884 6th av., near 50th st., first floor.

DRESS-MAKER.—BY A FIRST-CLASS DRESSmaker, to go out by the day or work at home; best reference given. Call at No. 481 6th av., second floor.

GET YOUR FIRST-CLASS COLORED COOKS, Nurses, waitermen, &c., at the shortest notice at the HOME BUREAU, No. 543 6th av., near 33d st.

HOUSE-WORK.—BY A SWEDISH PROTESTANT young girl, who is a good plain cook, and can wash and iron well; is willing to make herself generally useful wherever her services may be required; wages moderate. Call at Carpenter's, No. 138 West 11th st., corner 6th av.

SITUATIONS WANTED.

FEMALES.

HOUSEKEEPER.—A LADY WISHES A HOME in a family of wealth, where she would give her services and make their interest her own; understands all the details of housekeeping, dress-making, &c. Only parties who wish to treat with a lady need address A. J. L., Box No. 298 TIMES UP-TOWN OFFICE, NO. 1,257 BROADWAY.

HOUSE-KEEPER.—IN A HOTEL, BOARDING-house, or private family; thoroughly competent; first-class references. Call or address M. H., No. 106 West 24th st.

HOUSEKEEPER.—BY A MIDDLE-AGED LADY in a hotel or private family; the first preferred. Address D. M. S., Box No. 191 *Times* office.

HOUSE-WORK.—BY A RESPECTABLE GERMAN girl, to do general house-work; a good cook, washer, and ironer; is willing to go in the country. Address M. M., No. 316 6th st

INVALID'S NURSE.—BY A MIDDLE-AGED Scotch woman. Apply to No. 103 Clinton place, (8th st.,) City. Re ences from the best physicians.

KITCHEN-MAID OR HOUSE-WORK.—BY A Lutheran, willing young girl, well adapted to the work; has been for ten months kitchen-maid and two years house-worker; has good references. Can be engaged at No. 621 6th av., between 36th and 37th sts., first floor.

LADY'S MAID AND SEAMSTRESS.—BY A young woman, where her German vernacular, which is unusually correct, can be made available; speaks French and English; a good plain seamstress; obliging and industrious; dresses hair, &c.; can furnish excellent recommendations. Call or address 237 Madison av

LAUNDRESS.—BY A QUIET, WELL-EXPEdienced young woman, who is a good family laundress; can puff, polish, flute, and do up fine garments in superior style; will work for moderate wages in a good home; has best recommendations. Call at Carpenter's, No. 138 West 11th st., corner 6th av.

LAUNDRESS.—BY A PROTESTANT WOMAN AS first-class laundress; understands all kinds fine washing, French flutting, &c.; has five years' City reference from former place. Apply at A. Pelton & Co.'s, No. 645 6th av.

LAUNDRESS.—BY A COMPETENT YOUNG WOMan as first-class laundress; understands ladies' fineries and French fluting; or chamber-work and assist in the washing. City or country; best City reference. Call at No. 203 West 27th st., near 7th av.

LAUNDRESS.—BY A RESPECTABLE YOUNG Protestant woman as first-class laundress in a private family; understands French flutting and doing up fine muslins, laces, &c.; has unexceptionable City references. Apply at Bedell's, No. 340 4th av.

LAUNDRESS.—BY A FIRST-CLASS LAU

THE VICKSBURG MASSACRE.

FURTHER TESTIMONY BEFORE THE INVESTIGATING COMMITTEE.

EVIDENCE AS TO THE FIRST SHOTS FIRED—ACCOUNTS GIVEN BY PARTICIPANTS ON BOTH SIDES—TESTIMONY OF A COLORED WOMAN WHOSE HUSBAND AND SON WERE KILLED, THOUGH QUIETLY STAYING AT HOME.

VICKSBURG, Miss., Jan. 5.—The committee met at 9:30 o'clock. Henry Massey was the first witness examined. He detailed the meeting between Dr. Hunt, Col. Miller, and Owen's men, which did not differ materially from the evidence of those gentlemen. He did not see any colored men fire. Saw three dead negroes after the fight. Just before the August election, had been stopped on Washington street by fifty or sixty citizens and asked who he was going to vote for. Told them this was a free country and he would vote as he pleased. One of them said he was a suspicious character. Marshal Butcher came up and released him. Witness also testified that he had been afraid to come in to vote, and always carried arms, and was then armed with a loaded pistol.

Mr. Speer—Did you bring it to shoot the committee if asked an improper question?

Mr. Williams—If so, it is time to fire.

Witness then stated that had he voted the Democratic ticket he would have been charged with voting the Republican ticket.

Dennis Barley (colored) testified: He lived six miles out on the Jackson road; he joined Owens' party about 7 o'clock on the morning of the fight, and described the meeting with the whites substantially as Owens had, and that he fled through cane and briars to his home after the firing began; he knew of three of these men being killed. He also testified that Crosby's order to come in was read at Mount Albon Church, the day before, by Preacher Nelson Miles, whose order was for all to come, and that it was their duty to come; he was armed with a revolver; had heard there was trouble between the whites and blacks, and thought it was the duty of the blacks to stand together; always voted the Republican ticket because all the others voted it, and it was according to the instructions of the leading men; some colored men vote the Democratic ticket; only knew one white man who voted the Republican ticket; he denied that the blacks had any idea of committing any violence in Vicksburg.

Capt. John E. Hogan, who commanded a company in the fight, was examined next, and detailed the formation of his company out of a club similar to the Tax League, and their march to Vicksburg. Was positive that his men were fired on first from ambush near the Shirley House. Their reason for coming was to help to defend Vicksburg, as it was believed that if the blacks carried the day they would drive all the whites out of the country. He said Andy Mack had left his neighborhood, Haynes' Bluff, the night before with a body of armed negroes, and had gone to Jackson. His description of the fight was similar to those already given. He stated that Mack's company before leaving Haynes' Bluff had gone to Burns' store, and after striking him took all the ammunition there was in the store and then left. When his command went to bury Mr. Brown who was killed here, the funeral procession had scarcely left the house of his father-in-law when he saw three negro videttes sitting in the road with guns resting on their hips. Halted the procession, and called on three young men to go and see what the negroes wanted. The videttes heard me tell the young men, and when the party approached them they fired on my men, and at the same time about thirty shots were fired at them by the procession from an ambuscade in the cane. William Vaughn, one of the young men sent forward, was shot through the body and died next day. My men returned the fire, but hit no one, as the negroes fled through the cane. The body of Brown was then taken back to the house, and buried next day. Andy Mack was afterward captured in Yazoo County and put in jail. William Patterson and A. A. Hager went after him, and afterward reported that he attempted to escape and was shot and killed. Capt. Hogan then gave the names of the three negroes referred to as videttes, all of whom lived in the neighborhood, and were known to him.

H. C. Chaplin testified that he lived in Issaquena County, about fifty miles above Vicksburg, and that the colored people there had been notified at church on Sunday, before the fight here, of Crosby's card.

Ambrose Brown, colored, testified that the morning of the fight he, with Billy Vick, was walking up Washington street, when Capt. Cowan came charging up with a pistol, and said, "You ——, get off the pavement." I said: "Captain, I did'nt know it was any harm," and just then he pulled down a pistol and shot me in the shoulder. Don't see how he missed Bill and hit me. The ball is in there yet. Dr. Hunt told me it would be dangerous to attempt to cut it out.

Emily Boyd, colored, swore as follows: Lived eight miles out on the Jackson Road. Was at church there the day before with my husband. Heard a card read in church the day before the fight for all the colored men to come in to "salvate" Crosby. The men all got together next morning at Freetown, her husband along with the rest, and went. Her husband was killed on Thursday. Went and got his body and took it home, and saw three other dead bodies.

To Mr. Speer—Sampson Gannin read the notice at the church. The names of Gov. Ames and Crosby were signed to it. He said he would ring the church bell at daylight for all to meet.

Louisa Bangs (colored) testified that between 10 and 11 o'clock on the day of the fight, five white men came to her house, three and a half miles out on the Jackson road, after the firing had ceased, and calling on her husband out told him to hold their horses. Two of them dismounted and came in and asked my son, aged eighteen years, if there were any arms. He told them there was a pistol in the loft. One of them got it down; the other struck at my son with a gun. The latter ran out of the house and the men went after him and fired two shots. The men soon came back and told my husband to slip out, and then one of them shot him through the neck, killing him instantly. Both my son and husband were named Robert. I have six more children, the youngest six months old. After shooting my husband the men left. I went to look for my son, and found him fifty yards from the hill lying dead by the side of a log. He had been shot in the back and breast. I asked the men before they fired not to kill my poor husband, and they answered: "They have killed our women's husbands." I do not know who these men were. My husband and son had been at home all day. They said if they staid at home no trouble would come to them.

To Mr. Speer—Heard colored men read Crosby's card the day before on the road, and it said for all to come in. Think Gov. Ames' name was signed to it.

William Woods (colored) was the next witness, but he informed the committee in advance that he would not swear to tell all he knew, as he did not feel safe in so doing. The only part of any interest in his testimony was that his house had been searched three times for his needle-gun, and as a matter of prudence he had afterward given it up; that he had heard threats against him, but no one had ever attempted to hurt him. He having declined to answer questions as to the threats fully, the room was cleared and he was examined privately for a few moments. When the doors were reopened Chairman Conger said the committee had notified Woods that his testimony, even in secret, would be published at Washington and sent all over the country, and that Woods had again declined to testify.

Charles Smith (colored) was then examined, the principal point in his testimony being that half of a keg of powder had been taken from his house by Dr. Pryor and others. The examination of this witness consumed the remainder of the session. He declined to give the history of the keg of powder, hinting at danger to himself. He told who bought and sent it to his house. His evidence was very contradictory.

At 5:30 o'clock the committee adjourned.

THE MASSACHUSETTS LEGISLATURE.

INTEREST IN THE COMING SESSION—PROBABLE OFFICERS OF THE TWO HOUSES—THE CONTEST FOR THE UNITED STATES SENATORSHIP.

Special Dispatch to the New-York Times.

BOSTON, Jan. 5.—The sessions of the State Legislature open to-morrow, and the inauguration of the new State Government, headed by a Democratic Governor for the first time in an age, follows. Owing to this latter fact, and the presence of a larger number of Democrats in the Legislature than usual, and with all the many important questions to be considered, including the election of a successor to Mr. Sumner, there is a lively interest throughout the entire State and beyond its limits in the proceedings of this week and this Winter. The Democrats on a joint ballot in the Legislature have 100 votes against 139 Republicans. Last year they had about 76. The caucuses of Democratic members of the two branches were held to-night, and straight nominations made for the legislative offices. For the Senate, Hon. George F. Verry, of Worcester, Ex-Mayor of that city, was nominated for President, and the present Clerk, Mr. Gifford, was renominated. In the caucuses of the House members it was declared the duty of the Democrats in the Legislature to hold together as one man. Thomas S. Plunkett, of Pittsfield, one of the oldest members, and a leading Democratic politician in the western part of the State, was nominated for Speaker. Mr. Luther, at present connected with the Worcester press, was nominated for Clerk, and Capt. Mitchell for Sergeant at Arms. There is no doubt, however, that the straight Republican candidates will be elected to office, and that the organization of the Legislature will be as follows: President of the Senate, Dr. George B. Loring; Clerk of the Senate, S. N. Gifford; Speaker of the House, John E. Sanford, of Taunton; Clerk, George H. Marden, of Lowell, editor of the Lowell *Courier*; Sergeant at Arms, Major Morrissey.

The canvass for United States Senator has already begun and is far advanced. The strongest organization of workers is in the interest of Mr. Dawes, and it is generally believed by those who have looked over the field that his chances are better than those of any other candidate. There is a small faction of earnest workers for Judge Hoar, and some for Charles Francis Adams. A great deal depends on the action of the Democrats. If they hold together as last year, they may make trouble and protracted voting, unless the Republicans can be brought to agree on one candidate, and this is naturally sought by the workers for Dawes. It is probable that the Republican caucuses will be held early in the session. The voting will begin on the 19th inst.

The organization of the Legislature will probably be completed to-morrow, and on Thursday the Governor's message will probably be delivered. There is exceeding curiosity to hear and to see this document.

NEW-HAMPSHIRE DEMOCRATS.

THE STATE CONVENTION YESTERDAY—HON. HIRAM R. ROBERTS, OF ROLLINGSFORD, NOMINATED FOR GOVERNOR—OUTLINE OF THE PLATFORM ADOPTED.

Special Dispatch to the New-York Times.

CONCORD, N. H., Jan. 5.—The Democratic Convention held to-day was by no means a tame affair. There was the usual exciting commotion and noise, and all the elements of the old-fashioned Democratic gathering were present. The first session was devoted to temporary organization. Hon. A. R. Hatch, of Portsmouth, was made Permanent Chairman, and the various committees were made up with the utmost care by counties. The ballot for Governor was approached with caution and suspicion, many delegates apparently having the impression that they were to be cheated, and the different factions were loud in criticism of each other. The ballot was finally taken by counties, each town being called in order. The whole number of votes cast for the candidate for Governor, was 689. Of these Hon. Hiram R. Roberts, of Rollingsford, received 347 and was declared nominated. Mr. Daniels, of Franklin, received the next highest, 240, and it was between the adherents of these two men that the wrangling took place, but Mr. Roberts was declared to be unanimously nominated, and Mr. Daniels, his competitor, announced his intention to stand by him and go for the party.

Mr. Roberts, being called upon, made a little speech, in which he accepted the nomination and indorsed the platform, which he had not seen, but believed that it would be acceptable. He then made a few remarks about rings, cliques, and the promises which had been flung at the Democrats by the opposition newspapers and politicians. It was all humbug. He wished to be voted for as a farmer.

The resolutions were then reported, and received with the utmost enthusiasm and hilarity. They send greeting to the Democrats all over the land; they declare that the public officials must be held responsible for all the decay of honesty; capacity must be the only test; there must be no Congressional usurpation; each State must be allowed to regulate its own affairs, subject to the constitution; economy and honest currency are the only assurances of national prosperity; there must be no more financial shams; specie payments must be had, as demanded by the people; there must be a tariff for the revenue, and no more taxation for the aggrandizement of the few; there must be free speech, free press, religious toleration, no three terms, no more subsidies in land or money for the benefit of individuals or corporations at the expense of the people; prohibition is a failure, and there must be a stringent license law, well enforced—the surest way to promote temperance.

There were brief speeches by Hon. Harry Bingham and others, and the convention adjourned late in the afternoon. The nomination of Mr. Roberts is by no means satisfactory to all. All those who voted for Mr. Daniels and others are bitterly disappointed. More than one was heard to say: "We are beaten; there is no hope for us," and unless the temper changes, the Republicans have made a gain by the nomination. Their convention is to be held on the 12th inst.

MAINE POLITICS.

OPENING OF THE LEGISLATURE—THE SENATORSHIP—REPUBLICANS DIVIDED.

Special Dispatch to the New-York Times.

AUGUSTA, Me., Jan. 5.—To-morrow is the opening day of the Legislature. To-night the caucuses for the nomination of officers of the Legislature will be held. There will be no contest. Thomas, of Portland, will be nominated for Speaker of the House, and Webb, of Waterville, for President of the Senate. The all-absorbing topic is the Senatorship. The Republicans are divided in their choice, and both parties are sanguine, though it is generally thought that, if a Republican caucus is held this week, Hamlin will be nominated. Hamlin's supporters will try hard for a caucus on Friday of this week, and, as it has been the usage to hold the caucus the first week, it is probable that they will succeed. There has been some talk to the effect that, if the opposition to Hamlin is forced into a caucus this week, they will not submit to its action. Probably there will be no trouble in that direction, and the matter will be settled in caucus one way or the other.

A RAILROAD COLLISION ABOVE THE STREETS OF LOWELL.

LOWELL, Mass., Jan. 5.—Two passenger trains on the Lowell and Andover Railroad collided on the bridge over Lawrence street, in this city, this morning through a misunderstanding on the part of the conductors. One of the locomotives was thrown into the street below and the other left standing on the track. Several cars were wrecked, and a number of employes slightly injured, but no lives were lost. Travel was impeded for several hours.

THE TWO DISMISSED DETECTIVES.

At the meeting of the Board of Police yesterday a petition was presented by Ex-Detectives James M. Tilley and Charles Heidelberg, recently dismissed the department, asking for a rehearing of their case. Commissioner Disbecker remarked that inasmuch as it has been stated publicly that evidence exists that would tend to establish the innocence of the ex-detectives, he was decidedly in favor of reopening the case and giving them an opportunity of presenting the evidence which they claim to have in their possession. He was in favor of fixing a day for argument on the proposition made by counsel for the petitioners, and he, therefore, offered the following resolution:

Resolved, That a time be designated for a hearing to the counsel for Messrs. Tilley and Heidelberg in the court-room set apart for Police trials.

After some debate a vote was taken on the resolution and it was lost, Commissioners Disbecker and Duryee voting in the affirmative and Commissioners Voorhis and Matsell in the negative.

ARRIVALS AT THE HOTELS.

Hon. Henry Farnam, of New-Haven, is at the Albermarle Hotel.

Gen. B. F. Bruce, of Madison County, N. Y., is at the Metropolitan Hotel.

Assistant Attorney General Clement H. Hill, of Washington, is at the Brevoort House.

Canal Commissioner Adin Thayer, of Hoosic Falls, N. Y., is at the St. James Hotel.

Leslie C. Hanks, Consul General for Gautemala at San Francisco, and John A. Perkins, Q. C., of Montreal, are at the Gilsey House.

Hon. Smith M. Weed, of Plattsburg, N. Y.; J. Condit Smith, of Buffalo, and C. S. Bushnell, W. B. Bristol, and Nathaniel Wheeler, of Connecticut, are at the Fifth Avenue Hotel.

Hon. J. H. Burr and Hon. J. Sanderlin, of Gloversville, N. Y., are at Earle's Hotel.

A PROSPECTIVE RESIGNATION.

Another report that Mr. Edward L. Donnelly, one of the Commissioners of Charities, had resigned was circulated yesterday, but it was premature. Mr. Donnelly has repeatedly stated to his friends that he would resign, but he has not, much to the chagrin of a little army of Tammany office-seekers, who claim the position on account of political services. It is said that Mr. Donnelly looks with hope for the regular Democratic nomination for Sheriff when the time comes.

LOCAL MISCELLANY.

RESPONSIBILITY OF JUDGES.

THE CASE OF EDWARD LANGE—LIABILITY OF JUDGE BENEDICT FOR IMPOSING A SECOND SENTENCE.

The case of Edward Lange, tried in the United States Circuit Court, before Judge Benedict, and convicted of the unlawful use of some old United States mail bags is already familiar to the public. The penalty for the offense, imposed by statute, is an alternate one of a fine not exceeding $250, or imprisonment not exceeding one year. Judge Benedict, in passing sentence, imposed both a fine of $200 and imprisonment for one year. Five days later Lange was brought before the same Judge, and the latter, perceiving his previous error, vacated the sentence for the payment of a fine, which the prisoner had already undergone by payment of the amount, and imposed a new sentence of imprisonment for one year. From this judgment an appeal was taken in the form of successive writs of a habeas corpus, and the case carried to the United States Court at Washington, where the second sentence was declared to have been without authority of law, the first sentence, or the alternate portion thereof, declared to have been fulfilled, and the prisoner was ordered to be discharged.

Lange then brought a suit for damages against Judge Benedict for false imprisonment, estimating his injuries in the premises at $50,000. The case came before Judge Van Brunt recently in Supreme Court, Special Term, and argument was heard on a demurrer to the complaint, on the ground that the Judge was not liable in a civil action for damages, notwithstanding he had committed an error.

Judge Van Brunt, yesterday, rendered a very elaborate opinion in the case, in which he reviews all the leading decisions on the question of judicial liability for official acts, and arrives at the following conclusions: "The general principle which seems to be established is that, in a court of superior or general jurisdiction which has the slightest claim to jurisdiction over the subject matter, a Judge will not be held liable in a civil action for an erroneous decision in favor of such jurisdiction, neither will he be held liable where he has jurisdiction of the subject matter for excess of punishment, no matter how great such excess may be. Thus, in the present case, the plaintiff being convicted, and the defendant, as presiding Judge of the court in which such conviction was had, sentenced the plaintiff to a punishment in excess of that allowed by law, yet he was not liable in a civil action to the plaintiff for any damages which he might have sustained by reason of such excessive sentence, because the defendant had jurisdiction both of the subject matter and the person of the plaintiff. But if there is a clear absence of all jurisdiction, and this want of jurisdiction is known to the Judge, no excuse is permissible; and he will be held liable in a civil action. If, therefore, there was a clear absence of jurisdiction in the defendant to pass the second sentence, and this want of jurisdiction was known to him, this action will lie. * * * The plaintiff having been convicted, and suffered, and performed the full penalty which the law imposed upon his offense, was entitled to his liberty, and had the lawful right to assert his freedom by force. Under these circumstances, without any authority whatever, and in direct violation of and disregard for those rights which were guaranteed to the plaintiff, both by the common law and the constitution, he is sentenced to imprisonment for an offense which he had already expiated, which facts were known to the defendant at the time of pronouncing such sentence. At the time that Judge Benedict appeared in court when the second sentence was pronounced, neither the Marshal nor any other person had the slightest scintilla of right to restrain him of his liberty because of the offense for which he had been convicted; and, in the eye of the law, he was as free as any of the persons who happened to be spectators in the courtroom on that occasion. It seems to us, that it will be argued that a Judge of a court of general jurisdiction can, at his own will and volition, without observing any of the forms required by law, imprison with impunity any of the persons who happen to be present within his court. Yet, if the judgment of the United States Supreme Court in this case is sound, this is precisely what was done to the plaintiff by the defendant. I know that it is necessary for the independence of the judiciary that the broadest shield of protection should be thrown around them in respect to their official acts, but this does not require that they should be exempt from all penalties when they clearly act without any claim to jurisdiction. If the United States Circuit Court, as it has frequently been held to be, is a court of limited jurisdiction, then it would appear that under all the authorities, the defendant having acted in passing the second sentence without jurisdiction, he is liable in trespass. I am aware that, assuming the United States Circuit Court to be one of general jurisdiction, the question is not free from difficulty, but I am of the opinion, after a careful examination of the authorities, that a Judge of a court of general jurisdiction who attempts to enforce a judgment which he knows to have been satisfied, makes himself liable to an action. The demurrer, therefore, must be overruled, with leave to the defendant to answer on payment of costs."

THE HEALTH DEPARTMENT.

VITAL STATISTICS—AN INTERESTING REPORT BY DR. ELISHA HARRIS—CONTAGIOUS DISEASES.

At the meeting of the Board of Health yesterday, the following ordinance was adopted and added to the Sanitary Code:

SEC. 185. That the managers, principals, and officers of all asylums and institutions receiving children for care and treatment are hereby required to cause such children as have not been recently vaccinated to be properly vaccinated upon admission into such asylums and institutions.

A petition was received from a number of butchers setting forth that the stock-yards are about to be removed from One Hundredth street to the foot of Sixtieth street, North River, and asking permission to drive cattle from Sixty-fourth street and Eleventh avenue to Eighth avenue and Sixty-fifth street, through the transverse road in Central Park to Fifth avenue and through Sixty-third street to First avenue. The petition was referred to the Sanitary Superintendent.

A report was received from Sanitary Inspector Post in relation to Dr. Lesser Stern, of No. 243 East Fifty-second street, who is charged with having failed to report to the Sanitary Superintendent that a patient named Kate Rohmstick was suffering from small-pox. This woman was sick for ten days in the tenement-house No. 1,035 Second avenue, in which nine families live, and the matter was referred to the Attorney for prosecution.

Dr. G. O. Fiset applied to the Board for the position of Resident Physician at the Small-pox Reception Hospital, and the application was referred to the Committee on Applications.

Dr. Elisha Harris, Register of Vital Statistics, presented the following report:

The total number of deaths reported in this City during the year 1874 was 28,921. The number that actually occurred in the 365 days of that year, as footed up to-day, amounts to 28,727. This shows a decrease of 372 deaths from the total for the year 1873, and 3,935 less than for the year 1872. New births returns are still due from public institutions, and before the end of the present week will be duly registered, and the classified records will then be submitted to the board.

The full import of the diminished mortality in the City during the past year will be understood by noticing the large share which the excessive fatality of diphtheria had in the year's mortuary record, in which it stands charged with 1,963 deaths; also by bearing in mind the population and deaths in the annexed territory comprised in the Twenty-third and Twenty-fourth Wards. From this annexed population of the Westchester wards 741 deaths were reported, and from diphtheria there were 514 more deaths than in 1873. The decrease in mortality which has occurred is in all respects favorable to the deserved repute of this City for the healthfulness of its adult population.

The number of deaths reported in the week that ended on saturday, the 2d inst., was 584. The increase of mortality occurred in persons over sixty years of age and in chronic invalids. There was a slight decrease in fatal cases in the entire group of contagious and infectious diseases.

Dr. Walter De F. Day presented the following report of contagious diseases for the past two weeks:

Week ending Dec. 26, 1874—Typhoid fever, 9; scarlet fever, 51; measles, 1; diphtheria, 138; small-pox, 92; cerebro-spinal meningitis, 7.

Week ending Jan. 2, 1875—Typhoid fever, 3; scarlet fever, 56; measles, 11; diphtheria, 136; small-pox, 62; cerebro-spinal meningitis, 1.

From the report it will be seen that there was a decrease of 2 cases of diphtheria, 30 cases of small-pox, 5 cases of cerebro-spinal meningitis, and 6 cases of typhoid fever, while measles increased by 10 cases and scarlet fever by 5 cases during the past week. The disinfecting corps visited 105 premises where contagious diseases were found, and disinfected and fumigated 94 houses, and quantities of clothing, bedding, &c.

Thirty-five cases of small-pox were removed to the hospital, and 3 dead bodies to the Morgue by the ambulance corps during last week.

MATSELL TO RETIRE.

A report was started in the City Hall yesterday that Mayor Wickham intends to remove George W. Matsell, the President of the Police Department, and that Mr. Matsell, aware of his fate, will resign. The rumor gained currency from the fact that a Police Captain, said to be unfriendly to Mr. Matsell, had a conference with the Mayor during the afternoon. It was, however, confirmed by other sources. Mr. Richard Flanagan, Ex-President of the Board of Aldermen, is one of the principal candidates for the place.

THE SOCIETY FOR THE PREVENTION OF CRUELTY TO CHILDREN.

A meeting of the Executive Committee of the Society for the Prevention of Cruelty to Children was held at their new office, No. 1,300 Broadway, corner of Thirty-fourth street, yesterday afternoon. Mr. John D. Wright presided. Several elections were made to the Executive Committee, to fill vacancies caused by the inability of some of those first nominated to accept. The committee was finally completed, as follows: B. H. Fields, Henry Bergh, J. H. Wright, Thomas C. Acton, F. De Luca, Sinclair Tousey, W. M. Vermuyle, Charles Haight, A. Iselin, Jr., B. B. Sherman, R. R. Haines, James Stokes, W. H. Webb, Frederic De Peyster, and H. Hendrick. Among these gentlemen are Roman Catholics and Hebrews. Thirty ladies and gentlemen were elected members of the society. The Chairman stated that several cases of cruelty to young children had already been reported, upon which action would be taken at once.

TWEED'S CERTIORARI.

ARGUMENT FIXED FOR FRIDAY NEXT—THE QUESTIONS TO BE ARGUED.

Counsel for William M. Tweed waited a great portion of the day in Supreme Court, General Term, yesterday, in anticipation that argument would be reached on the writs of habeas corpus and certiorari issued in the case.

The court, at about 2 P. M., inquiring if the case was ready for argument, District Attorney Phelps replied that in one sense he was ready, in another he was not. Mr. Peckham had been associated with him in the preparation of the points, and he would not be ready until Friday.

Mr. David Dudley Field—We hope the argument will not be postponed until Friday. The purpose, as I have said all along, is to get this case before the Court of Appeals in the beginning of the term, and we were assured by the other side that we would be facilitated in that. An adjournment was granted in the proceedings before Judge Barrett, the condition of which was that every facility would be given us—at least so we understood it. It is not too much for us to say that counsel on the other side have been in the case from the beginning, know all that is in it, were prepared a year ago on the trial to argue all these questions, and of course must be prepared just as well now. I ask that the case shall be argued to-morrow morning.

Judge Brady—Will you be ready, Mr. Phelps, on Thursday?

Mr. Peckham—Not before Friday, even doing the utmost that can be done. The court has stated that it does not desire the case to be simply submitted in a *pro forma* manner, but prefers to have it argued and passed upon after argument. The papers, though printed since six months, were only the other day furnished to me. These have to be looked into and referred to, and if counsel are supposed to render any assistance in the investigation, we could not be ready before Friday.

Mr. Field—The attorneys were unable to procure a settlement of the bill of exceptions until there was an Oyer and Terminer. As to an argument of all these questions in full, this very General Term has pronounced on one of the questions—that the Oyer and Terminer has a right to try an indictment for misdemeanor, (in the case of Charlick and Gardner,) and what is the use of trying it again?

Judge Daniels—There was no question raised as to the jurisdiction of the court.

Mr. Field—I was told by one of the counsel in the case that that was one of the questions in the case. Another point is as to whether the Penitentiary or the County Jail should be the place of imprisonment, or what is the County Jail, and Judge Brady has decided on that.

Presiding Justice Davis—Is Judge Brady also disqualified?

Mr. Field—I should say so if I had to answer the question; but I have no objection that he should sit and render a decision to-morrow, and so with Judge Daniels. But if I am asked the legal question of disqualification, I should say all the Judges now sitting on this General Term are disqualified.

At this point the three Judges consulted a moment in a low tone, while Mr. Field proceeded: Upon this certiorari the only question is one of jurisdiction, which does not involve the examination of the lengthy documents and the records; it is one which can be answered without seeing the documents. Can the court pronounce cumulative sentences on one indictment? That question and the one of the County Jail, and the jurisdiction of the Oyer and Terminer to originate an indictment for misdemeanor, and whether the court could imprison for neglect of duty on the part of a Supervisor, are all that we propose to argue on this habeas corpus and certiorari. One suggestion: The law of 1870 provides that the court may order such a case into another district. There is a General Term in the Second District on Monday next.

Judge Brady (with a humorous twinkle in his eye)—There will be a General Term in this court on Friday morning.

Mr. Field—Then I am to understand it will be argued on Friday morning.

Judge Brady—Yes, Sir.

This ended the discussion, and counsel on both sides retired from the court.

PACIFIC MAIL TROUBLES.

RESIGNATION OF MR. FOGG, THE NEW DIRECTOR—IMPORTANT CORRESPONDENCE AND RETIREMENT OF THE TREASURER.

The developments in Pacific Mail, yesterday, were confined to the retirement of Mr. William H. Fogg, the recently elected member of the Board of Directors, the correspondence between Treasurer C. C. Niebuhr, "Managing Director" Hatch, and the company, and the resignation of the former official. A variety of rumors are also afloat in regard to the forthcoming "statement" of the company's financial condition, which its accountants are said to be preparing for publication at an early date.

Mr. Fogg, the retiring Director, bases his sudden action on the fact that his large private business requires all his personal attention, and therefore prevents his taking an active part in the business of the board. He adds that he does not own a dollar of the company's stock, and had no interest in accepting a place in its councils beyond the fact that he owned a large amount of real estate in China, and was desirous of seeing the company in a prosperous condition. The matters revealed in the testimony before the Congressional Committee he had nothing to do with whatever. The correspondence which led to the resignation of Treasurer Niebuhr is as follows:

MR. HATCH TO MR. NIEBUHR.

OFFICE OF PACIFIC MAIL STEAM-SHIP COMPANY, Nos. 59 AND 61 WALL ST., NEW-YORK, Dec. 29, 1874.

C. C. Niebuhr, Esq., President:

DEAR SIR: In accordance with the expressed desire on the part of the Board of Directors to reduce the expenses of the company to the lowest possible figure, it is necessary to curtail the number of employes, and I have to inform you that your services will not be required after the 31st inst. Yours, truly,

(Signed,) RUFUS HATCH, Managing Director.

MR. NIEBUHR TO THE BOARD.

OFFICE OF PACIFIC MAIL STEAM-SHIP COMPANY, Nos. 59 AND 61 WALL ST., NEW-YORK, Dec. 31, 1874.

F. Alexandre, Esq., President, and the Directors of the Pacific Mail Steam-ship Company:

GENTLEMEN: Yesterday afternoon, 30th inst., I received the following notice:

OFFICE OF PACIFIC MAIL STEAM-SHIP COMPANY, Nos. 59 AND 61 WALL ST., NEW-YORK, Dec. 29, 1871.

C. C. Niebuhr, Esq., President:

DEAR SIR: In accordance with the expressed desire on the part of the Board of Directors to reduce the expenses of the company to the lowest possible figure, it is necessary to curtail the number of employes, and I have to inform you that your services will not be required after the 31st inst. Yours, truly,

(Signed,) RUFUS HATCH, Managing Director.

Such a summary and arbitrary dismissal may possibly act against me as the Accountant of the Company, unjust as it is. But, on the 24th of June last, I was elected Treasurer of the company by the Board of Directors. I have not been informed, neither am I aware, of any dishonorable act on my part, or that I have not been faithful to my trust since I have held that position. In the foregoing notice I am addressed as an individual only. I have not been requested by your board to resign my office as Treasurer. I have not resigned, and I know of no good reason why I should, and I deny the right of "Mr. Rufus Hatch, Managing Director" to discharge me, an officer of the company, without cause or notice. My reputation is at stake, and wish to be treated like a gentleman. It it is the desire of your board that I should resign, a resolution from you to that effect in writing, stating cause, will be received, and I shall then claim the privilege of giving my notice of resignation in the regular and usual form.

Yours truly,

CHARLES C. NIEBUHR,

Treasurer Pacific Mail Steam-ship Company.

THE REPLY FROM THE BOARD.

OFFICE OF PACIFIC MAIL STEAM-SHIP COMPANY, NEW-YORK, Jan. 2, 1875.

Charles C. Niebuhr, Esq., Pacific Mail Steam-ship Company, No. 59 Wall street:

DEAR SIR: I am directed to inform you that the Board of Directors, at a special meeting held on Saturday, the 2d inst., passed unanimously the following preamble and resolution:

Whereas, The board is desirous of reducing the expenses of the company, therefo e,

Resolved, That in view of the letter received from Mr. Niebuhr, the Board of Directors have concluded to ask from him his resignation as Treasurer of the company, to take effect from date, and that his salary be paid to Jan. 31, 1875, inclusive. Yours, very truly,

(Signed) THOMAS T. GAMBLE, Secretary.

MR. NIEBUHR'S REPLY.

OFFICE OF PACIFIC MAIL STEAM-SHIP CO., Nos. 59 and 61 Wall street. NEW-YORK, Jan. 4, 1875.

To the Board of Directors of Pacific Mail Steam-ship Co., F. Alexandre, Esq., President:

GENTLEMEN: Your favor of 2d inst. is received in reply to my communication of Dec. 31, 1874.

I do not desire to stay where I am not wanted, and as your "preamble and resolution" tend to that conclusion, I hereby respectfully tender you my resignation as Treasurer and Accountant of this company, to take effect immediately. Yours truly,

CHARLES C. NIEBUHR.

It is announced that Mr. Rufus Hatch and Mr. Clark Bell, counsel for the company, go to Washington to-day to attend the examination before the Committee of Ways and Means.

THE WABASH POOL.

In the suit of Azariah Boody against Daniel Drew, Milton Cartwright, Kenyon Cox, and others, who were managers of a pool to carry Toledo, Wabash and Western Railroad Company common stock during some months, and to Nov. 1, 1872, to compel an accounting not only of the pool transactions but also of private transactions alleged to have been made by the same defendants, the facts of which have already appeared in THE TIMES, Judge Van Brunt yesterday rendered a decision, denying an order for an accounting of the private transactions, but awarding it as to the pool transactions.

REMISSION OF TAXES.

The Supervisors remitted the taxes on the Howard Mission and Home for Little Wanderers, but notwithstanding this the City sold the property for a term of years for non-payment. Suit was brought to set aside this sale, and Judge Van Brunt yesterday rendered a decision in favor of plaintiff.

CITY AND SUBURBAN NEWS.

NEW-YORK.

We have received $2 from "B." for William Millinet, a Ninth Regiment veteran.

The Aldermanic Committee on Rules of Order met yesterday to prepare their report.

Mrs. Hartung, of No. 988 Second avenue, dropped dead while eating her dinner yesterday.

We have received five dollars from "little Emily Bancker" for the benefit of the Children's Aid Society.

Seven rooms, or the entire western section of the City Hall, are to be devoted to the use of the Mayor and his clerks.

The Board of Pilot Commissioners held their regular weekly meeting yesterday, but transacted no business of special importance.

The report that preparations are making for a Cuban expedition from this City is strenuously denied by prominent Cuban residents.

William J. Wilson, aged thirty-four, of No. 309 West Twentieth street, fell on the sidewalk at Nineteenth street and Ninth avenue, and fractured a leg.

Henry Fisher, a clerk aged thirty-four years, died yesterday in Bellevue Hospital from injuries received on Dec. 1, by being run over by a Fourth avenue car.

The Third Assembly District German Republican Association held a meeting at No. 75 Broome street last evening, when action was taken to effect a reorganization for the ensuing year.

The "Amitie" masquerade ball, which was announced to take place on Jan. 14, has been postponed till the evening of the 30th inst., according to the request of Mr. Gilmore. It will be held at Irving Hall.

During a fight last evening between Oscar Fletcher and his mistress, Clarina Barker, both colored, at No. 10 York street, the woman was stabbed over the right hip. She was taken to Park Hospital, and Fletcher was locked up.

The Cercle Française de l'Harmonie, last evening, elected the following officers for the ensuing year: President, A. Salmon; Vice President, P. Rontey; Secretary, C. Soullier; Treasurer, A. Flaurand; Directors, M. Thiery and F. Dardonville.

In the Court of Oyer and Terminer yesterday, before Judge Barrett, Joseph Kiernan pleaded guilty to a charge of manslaughter in the fourth degree, he having caused the death of Mary Miller. The court accepted the plea, and sentenced Kiernan to eighteen months' imprisonment in State Prison.

For some days past Mr. Thurlow Weed has been confined to his house by severe illness. During the last month he had been complaining more or less of indisposition, and on Friday, New-Year's Day, contracted a bad cold, from the effects of which he is still suffering.

In the case of Jacob Ruperlis, a laborer, of No. 422 West Fifty-second street, killed by a premature blast at an excavation in Fifty-fourth street, Coroner Eickhoff held an inquest yesterday, and the jury rendered a verdict censuring M. Connolly, the contractor, for not having the blast sufficiently guarded.

The funeral of the late Anthony Hoguet was largely attended yesterday morning, at St. Stephen's Church, in East Twenty-eighth street. Rev. Father Byron officiated at the celebration of the solemn mass of requiem. The pall-bearers were intimate and business friends of Mr. Hoguet. The remains were taken to Green-Wood Cemetery.

The Friendship Boat Club has elected the following officers for the ensuing year: President, James F. Daly; Vice President, J. O'Carroll; Corresponding Secretary, William Dittmar, Jr.; Recording Secretary, Aloert Sauer; Treasurer, M. J. Murray; Captain, W. J. Hurley; delegates to Aquatic Convention, J. S. Murray, J. L. McCahill, and C. McCartney.

King Kalakaua has received, and, through his Master of Ceremonies, Kamalata, accepted, an invitation to be present at the Grand Bal paré et masqué of the Cercle Français de l'Harmonie, to be given at the Academy of Music on the evening of Jan. 21. The society will prepare for an elaborate welcome of the King, and arrangements for his proper presentation will be duly made.

John Brown, a bar-keeper in Roosevelt street, was before Judge Sutherland, in the Court of General Sessions, yesterday, charged with having retained unlawfully a coat belonging to Patrick McDermott. Testimony to the effect that the coat had been given as security for a debt for drinks, and that the defendant had offered to return it, was given and the case was dismissed.

The Greek Church reckons its sacred days according to the old chronology, which is twelve days behind the usual one. Christmas for that Church is to-day, (Wednesday,) and will be celebrated at the Russo-Greek Chapel No. 351 Second avenue, near Fifteen street, at 11 o'clock A. M. After the holy liturgy, Rev. Father Bjerring will preach in the English language.

In the Superior Court, Special Term, yesterday, before Chief Justice Monell, argument was had in the suit of John Kelly against Henry F. Taintor, on demurrer to certain portions of the defendant's answer, on the ground that they appeared to be pleaded in justification but were not pleadable as such, and though admissibly in mitigation of damages, they were not pleaded as such. The Judge reserved his decision.

Prof. John Odroneaux, Daniel Clark Briggs, and Sylvester W. Comstock, of the commission appointed to inquire into the alleged insanity of Isabella Jaunnach, who roasted her child, were yesterday at the District Attorney's office, and began their inquiry. She was asked a number of questions, and answered that she had been subject to epileptic fits, and that she had had visions and spirits, both, however, by the advice of her physician.

An effort is being made to secure to the family of the late Commander Cushing an increased pension, as a fitting recognition of his important services. A petition has already been presented to the Senate by Senator Anthony, and referred to the Committee on Naval Affairs. Among those interested in the passage of the bill are Admiral Porter, Commander Patterson, and Admiral Alden. Precedents for the oill are found in the cases of several distinguished army and navy officers.

The annual convocation of Knickerbocker Grange, No. 154, Patrons of Husbandry, was held at No. 27 Clinton place last evening. The following officers were elected: D. D. T. Moore, Master; T. E. Wilson, Overseer; J. W. Naughton, Secretary; Hon. F. W. Gilley, Lecturer; Dr

THE GOVERNOR'S MESSAGE.

GOV. TILDEN'S REVIEW OF THE CONDITION OF THE STATE.

RECEIPTS, EXPENDITURES, AND TAXATION—THE CONSTITUTIONAL AMENDMENTS—THE CANALS AND TRANSPORTATION—THE FINANCIAL POLICY OF THE COUNTRY—AN INCONVERTIBLE CURRENCY CONSIDERED—THE POWERS OF THE FEDERAL GOVERNMENT—THE PEOPLE MUST AGAIN ATTEND TO PUBLIC AFFAIRS.

EXECUTIVE CHAMBER, ALBANY, Jan. 5, 1875.

To the Legislature:

At the advent of a new year, when the public bodies assemble to consult in respect to the affairs and to transact the business of the State, our first thought should be to offer up devout thanksgiving to the Supreme Disposer of events for the blessings which we have enjoyed during the year now closed. Our great Commonwealth comprises a population of more than four and a half millions—largely exceeding that of the whole United States at the formation of the Federal Government—and embracing vastly more extensive and diversified interests and activities. Our sense of duty ought to be commensurate with the magnitude of the trust conferred upon us by the people. Forming, as our State does, so important a part of the American Union, the benefits of an improved polity, of wise legislation and of good administration, are not confined to our own citizens, but are felt, directly and by their example, in our sister States and in our national reputation throughout the world. Mindful, with you, of these considerations, I proceed to perform the duty enjoined by the Constitution upon the Governor, to "communicate, by message, to the Legislature" "the condition of the State," and to "recommend such matters to them as he shall deem expedient."

RECEIPTS AND EXPENDITURES.

The receipts into and payments from the Treasury, on account of all the funds, except the canal and common school funds, for the fiscal year ending Sept. 30, 1874, were as follows:

Receipts	$26,465,870 43
Payments	19,636,308 36
Balance in the Treasury Sept. 30, 1874	$6,829,062 07
The available balance amounted to	6,494,881 44

the difference being made up by the defalcation in the State Treasury, in 1873, of $304,237 91, and the sum of $29,222 72, being an old balance due from the Bank of Sing Sing.

STATE DEBT.

On the 30th of September, 1873, the total funded debt was $36,530,406 40, classified as follows:

General fund	$3,988,526 40
Contingent (stock issued to the Long Island Railroad Company)	68,000 00
Canal	11,352,880 00
Bounty	21,121,000 00
Total	$36,530,406 40

During the months of August and September, 1873, stocks of the bounty loan were purchased to the amount of $306,000, but not canceled until after Sept. 30, 1873. Deducting this sum the bounty debt amounted to $20,815,000, and the total debt to $36,224,406 40.

On the 30th September, 1874, the total funded debt was $30,199,456 40; classified as follows:

General fund	$3,988,526 40
Contingent	68,000 00
Canal	10,230,430 00
Bounty	15,912,500 00
Total	$30,199,456 40

The actual reduction of the State debt during the fiscal year ending Sept. 30, 1874, by cancellation of matured stocks, and by the purchase of $4,902,500 of bounty loan 7s of 1877, for the Bounty Debt Sinking Fund, is $6,024,950.

In addition to the $4,902,500 of bounty stock purchased for the Bounty Debt Sinking Fund during the last fiscal year, and canceled, there have been investments for that Sinking Fund, since the date of the last report to the present time, in State securities and Government registered bonds to the amount of $4,381,500, at a cost of $4,972,091 35; add $327,283 88 premium and $3,210 commissions on bounty loan stock purchased and canceled, and $1,421,584, interest on bounty debt, makes a total of $11,036,667 23 paid on account of this Sinking Fund since the date of last report to the present time. The securities, now held in trust for this Sinking Fund amount, at their par value, to $6,902,944 09, which could be disposed of at the present market rates, at an average premium of over twelve per cent.

The following statement shows the amount of the State debt on the 30th September, 1874, after deducting the unapplied balances of the sinking funds at that date:

	Debt on the 30th September, 1874.	Balance of Sinking Funds on 30th September, 1874.	Balance of Debt after Applying Sinking Funds.
Gen'l F'd..	$3,988,526 40	$4,142,693 84	.....
Contingent.	68,000 00	32,823 49	$35,176 51
Canal.....	10,230,430 00	1,561,018 99	8,669,411 01
Bounty....	15,912,500 00	*7,125,278 20	8,787,221 80
Total..	$30,199,454 40	$12,861,814 52	$17,491,809 32

*Deducting interest accrued to Oct. 1, 1874, payable Jan. 1, 1875.

The State debt on the 30th September, 1873, after deducting the unapplied balances of the sinking funds, amounted to $21,191,379 34
On the 30th September, 1874, to 17,491,809 32
Showing a reduction of $3,699,570 02

TAXES.

The State tax levy for the current year amounted to 2¼ mills.

The total amount of the tax will be $15,727,482 08, about $900,000 in excess of the amount levied during the preceding fiscal year.

OTHER DEPARTMENTS OF THE STATE.

Summary statements in respect to the banks, savings banks, trust, loan, and indemnity companies, insurance companies, quarantine, the Emigration Commission, Common Schools, colleges, and academies, the State Library and Museum, the National Guard, the soldiers of the war of 1812, the war claims against the United States, the Salt Springs, and the State Prisons, are appended. The full reports of the public officers and boards, charged with the special care of these subjects, will be transmitted as soon as their preparation is completed. Your attention is invited to them, and especially to the report of the Controller, which will be submitted at the opening of the session.

STATE CENSUS.

The Constitution provides that an enumeration of the inhabitants of the State shall be taken, under the direction of the Legislature, in the year 1855, and at the end of every ten years thereafter.

Chapters 64 and 181 of the laws of 1855, and chapter 34 of the laws of 1865, which remain in full force, prescribe the manner of taking the enumeration.

These acts require the Secretary of State to prepare uniform blank returns and abstracts, for the purpose of taking the enumeration, and obtaining statistical information as to population and social statistics, the resources and interests of the State, individual and associated industry, agriculture, the mechanic arts, commerce and manufacture, education, and other information of great value to the statistician and all classes of citizens, and will probably require little or no modification.

It will be necessary for the Legislature to make an appropriation to enable the Secretary of State to carry into effect the provisions of the Constitution and statutes above referred to. A sum equal to the amount appropriated in 1865 for that purpose, by chapter 598 of the laws of that year, will probably be sufficient.

The Secretary of State has taken preliminary steps toward taking the enumeration, and looks to the Legislature for an early appropriation to enable him to go forward with the work.

PAUPERISM.

The annual report of the State Board of Charities will be laid before the Legislature, and I commend it to your attention. It will contain the results of a special examination in respect to the condition of children in poor-houses, and the subjects of out-door relief and alien paupers. The laws relating to pauperism need revision and amendment. The growth of the State in wealth and population has brought with it more complex relations between capital and labor, which should be carefully studied, in order that legislation may be adapted to their requirements. I suggest whether it is not advisable that a commission be appointed to investigate and report upon the management and relief of the poor, and to propose such legislation as will tend to relieve the industry of the State from the evils which result from poor laws, vicious or inadequate in conception, or defective in execution.

CENTENNIAL EXHIBITION.

The celebration of the centennial anniversary of American independence will occur in the year 1876. Under the auspices of the General Government, an international exhibition of arts, manufactures, and natural products will be held in the City of Philadelphia. Provision has already been made for the appointment of a board of five Commissioners to represent this State, who are to serve without compensation. I recommend a moderate appropriation of money, which will be required to defray the necessary expenses of the commission, and enable this State to take such part in the exhibition as will testify our sense of the greatness of the event commemorated, and is suitable to the dignity of our Commonwealth.

CONSTITUTIONAL AMENDMENTS.

The adoption of the recent amendments to the Constitution renders necessary some important legislation in order to carry them into full effect. The changes made in article 2 require corresponding changes in the election laws with respect to challenges and the oaths thereupon, and the enactment at the present session of a law, "excluding from the right of suffrage all persons convicted of bribery or of any infamous crime."

The amendment of section 4 of article 8 of the Constitution requires the enactment of a "General law conforming all characters of savings banks, or institutions for savings, to a uniformity of powers, rights, and liabilities."

The addition of article 15 necessitates the passage of an act prescribing the punishment for the offense of bribery created in sections 1 and 2. Some legislation may be necessary in consequence of the change in the mode of compensating members of the Legislature, and in some other matters which will readily occur to you.

The section added to article 3 as section 18 requires the passage of general laws, providing for the cases in which special legislation is prohibited by that section. Many of these cases are within existing general laws, and, with respect to others, no immediate legislation is expedient, either in the way of enacting statutes providing for the cases to which the existing statutes do not apply, or in the way of amendments to existing statutes.

The provision prohibiting special legislation in the cases specified is the amendment from which the largest benefits have been anticipated. In framing the general laws which are to provide for these cases great caution will be necessary. The part I took in the convention of 1846, and even before the enactment of the General Banking law of 1838, in advocating the principle of general laws in its application to the creation of corporate bodies which had been practical monopolies, and to other cases where it seemed to be safely applicable, may justify me in suggesting some qualification of the advantages to be derived from the change, unless it be accompanied by especial foresight and wisdom.

It will doubtless be an unavoidable necessity to modify existing general laws, and to shape new ones to be enacted with reference to special and peculiar cases. It is quite possible to give a general form to the phraseology of every enactment intended to apply to a special case, and to operate as a special grant of powers.

The benefit intended to be secured by the prohibition may thus be defeated. Even greater mischiefs than those which existed under the old system may be created.

The parties interested in promoting a law intended to obtain special powers for a particular case cannot be relied on to guard against the possible operation of the general provision in the other cases to which it may be applied. The legislator who could not measure the whole consequences of an act limited in its terms to a special instance cannot foresee the possible cases to which a general law adapted to the instance present to his mind may be found capable of applying, or what operation it may have. There will, therefore, be great danger of vague, loose, and hasty legislation in contemplation of one object, but capable of working in numerous cases results neither foreseen nor intended.

The new legislation called for by this provision should be framed with more than ordinary care.

FRAUDS AND MALVERSATION BY PUBLIC OFFICERS.

It will be the first and most imperative of our duties to revise the laws which are intended to provide criminal punishment and civil remedies for frauds by public officers, and by persons acting in complicity with them. The condition of our existing statutes and of our unwritten law, as its provisions for such cases have been construed and declared by recent decisions of the court of final resort, disclose grave defects. The practical evils resulting from these defects are greatly increased by the recent frequency and magnitude of violations of official trust.

IMPERFECTION OF CRIMINAL LAWS.

The statutes punishing embezzlement are held not to apply to such offenses when committed by public officers. The statutes relating to larcenies are deemed to be of questionable application to a fraudulent acquisition of public funds, existing in the form of credits inscribed on the books of a bank, and known in the language of commerce as deposits. The statutes in regard to obtaining money or property by false pretenses are not free from technical embarrassments in their application to public frauds. Without assenting to the conclusion that these statutes are wholly unavailable in such cases, it cannot be doubted that they are inadequate, unfit for the exigencies of the times, and that they attend in the class of cases to which they extend to the defeat of public justice.

No illustration of these defects can be so impressive as certain facts of recent experience. A public officer designated by a statute of the State, and authorized, with two others, to audit the then existing liabilities against the County of New-York, fraudulently made an audit, or certified to an audit not made, of fictitious claims to the amount of $6,000,000, and instantly received $1,500,000 of the money paid on such audits, through a common agent between himself and the pretended owners of the claims. For this flagrant crime, accompanied by many circumstances of aggravation, the eminent counsel who represented the people deemed it prudent to seek convictions only for misdemeanors in neglect of official duty, the punishment for each of which is imprisonment in the Penitentiary for a term not exceeding one year, and a fine not exceeding $250. When we consider that a person who, under the temptation of pressing want, steals property of the value of over twenty-five dollars, is liable to imprisonment in the State Prison for a term of five years, and that the other offenses against private property are punishable with corresponding severity, the inadequacy of the law applicable to great public delinquents, betraying the highest trusts, and plundering the people on a grand scale, is revolting to all just notions of morality and justice.

RECOMMENDATIONS.

I recommend the enactment of a statute which shall clearly embrace such offenses, and impose penalties upon them proportionate to their moral turpitude and to the mischief which they inflict upon society. It can apply only to future cases; but it may be expected to do something toward preventing a recurrence of such evils.

CIVIL REMEDIES.

The existing civil remedies applicable to such cases are no less inadequate. For the last three years, the spectacle has been exhibited on the conspicuous theatre of our great Metropolis, of fraudulent officials remaining in quiet possession and making unobstructed dispositions of great wealth, which we are morally certain was derived from their spoliation of public trusts, notwithstanding legal proofs of the most conclusive nature exists of their guilt. In the meantime, civil actions have been dragging their slow length along, as in ordinary cases of disputed rights, while the "law's delay" has been maintained by the use of the vast fund abstracted from the public, and no process has been found in our laws, by which it could be attached and preserved pending the litigation, or its disposition interfered with before final judgment.

RECOMMENDATION.

A bill to extend to such cases the remedy of attachment as in case of foreign corporations, or nonresident, absconding, or concealed defendants, has been heretofore submitted to the Legislature. I trust that such a measure will be speedily adopted. I recommend, further, that preference be given to such cases in the courts, whoever may be the party plaintiff.

A GREAT DEFECT IN OUR JURISPRUDENCE.

A still more serious defect exists in our jurisprudence. Where a wrong is committed which affects the treasury of a city, county, town, or village, the officers who would be the proper plaintiffs in any suit for redress, or who possess exclusively the power to institute or conduct such suits, may be themselves the wrong-doers, or be in complicity with the wrong-doers. In every such case, the remedy must, of course, be very much embarrassed, if not wholly unavailing. The unfaithful incumbents may be entitled to serve for a long term, or they may possess great facilities for gaining the favor of their successors. While the remedy is thus delayed—perhaps for years—the proofs may be lost, or the depredators may make away with their property, and withdraw their persons from the reach of process; or they may, through the lapse of time, become discharged from liability by the Statute of Limitations. As the offense becomes stale, the public sentiment, which inspires voluntary efforts of patriotic citizens in behalf of the people to seek redress, is wearied and weakened. On the other hand, temptations are strengthened and developed into actual crimes by the prospect of impunity, which grows out of tardiness and uncertainty in the remedial law.

ATTEMPTS TO REMEDY THAT DEFECT.

The frequent occurrence of malversation in local governing officials has stimulated ingenuity to devise some judicial remedy. At first it was conceived that the injured tax-payers or inhabitants might, in their own names, invoke judicial aid. An analogy was set up to the case of a private corporation in which a corporator, on the omission of the Directors to sue, might bring an action in behalf of himself and his associates, making the corporate body a defendant. The idea received much favor from the courts in the judicial district which comprises the City of New-York.

But the Court of Appeals in Roosevelt vs. Draper, and in Doolittle vs. Supervisors of Broome County, decided that the individual tax-payer had no special interest distinct from that of the public which would enable him to sustain an action in person for redress of a public wrong of the nature involved in those cases. In the former case the intimation was made that the true "remedial process against an abuse of administrative power tending to taxation, is furnished by our elective system, or by a proceeding in behalf of the State;" in the latter, that "for wrongs against the public, the remedy, whether civil or criminal, is by a prosecution instituted by the State in its political character, or by some officer authorized by law to act in its behalf." The whole reasoning of the court proceeded upon this ground, nor does it seem to have been questioned by the counsel on either side. The remedy intimated in these decisions has been recognized as established law in Great Britain, from which we inherit our equity jurisprudence, by a series of great precedents. It has been applied to populous municipalities, like Liverpool, and to corporate funds derived from taxation, and applicable to general municipal purposes. It is a natural deduction from the historic origin and the expansive philosophy of the equity system, whose proud boast has ever been that it leaves no wrong without a remedy.

On the discovery in 1871 of the frauds committed by the governing officials of the Municipality of New-York, the Attorney General, acting on these intimations of our own courts and on the English precedents, instituted actions against the parties inculpated by positive proofs. Within the last year the Court of Appeals, in the cases of The People vs. Tweed, Ingersoll et al., and of The People vs. Fields, has decided that the State cannot maintain those actions. The result is at last arrived at, that neither the tax-payer, nor the State in his behalf, can seek redress; that in all the long interval, nobody has been competent to sue or conduct a suit, except some Corporation Counsel who was an appointee of the accused parties. This is a state of our jurisprudence which calls for new legislation.

NEW LEGISLATION.

In choosing between the two expedients of vesting a right to sue in the individual tax-payer or in the State, it is obvious that the latter should be preferred. The existing statutes, intended to confer some limited rights on the individual tax-payer, are practically nugatory. The reasoning of the Court of Appeals, in the cases denying him the right under our customary jurisprudence or the common law, applies with equal force to the inconveniences which might attend the possession of such a power by every member of so multitudinous a body. The wiser alternative is to vest the power in the people of the State, acting by their Attorney General. It will be analogous to the authority which exists in respect to private corporations, and in cases of nuisance, and of *quo warranto*; and will be in consonantity to the safe methods and traditional usages of equity jurisprudence.

LOCAL SELF-GOVERNMENT.

The establishment of such a remedy for the injured tax-payer or citizen will not detract from, but will make possible, and will found on a durable basis, local self-government. Human society will struggle, like everything that lives, to preserve its own existence. When abuses become intolerable, to escape them it will often surrender its dearest rights.

All the invasions of the rights of the people of the City of New-York to choose their own rulers and to manage their own affairs—which have been a practical denial of self-government for the last twenty years—have been ventured upon in the name of reform, under a public opinion created by abuses and wrongs of local administration, that found no redress. When the injured tax-payer could discover a mode of removing a delinquent official, and a way of holding him to account in the courts, he assented to an appeal to the legislative power at Albany, and an act was passed whereby one functionary was expelled, and by some device the substitute selected was put in office. Differing in politics as the City and State did, and with all the temptations to individual selfishness and ambition to grasp patronage and power, the great municipal frauds soon came to be the traffic of the lobbies. It is long since the people of the City of New-York have elected any Mayor who has had the appointment, after his election, of the important Municipal officers. Under the charter of 1870, and again under the charter of 1873, the power of appointment was conferred as a bait for abuse already in office. There has not been an election in many years in which the elective power of the people was effective to produce any practical results in respect to the heads of departments in which the actual governing power really resides.

A new disposition of the great municipal trusts has been generally worked out by new legislation. The arrangements which secure public confidence in 1874 that the cost of transportation would be reduced one-half. His opinion has been repeated on all occasions until the present time.

But that estimate, when analyzed, is found to omit all the wages and support of the crew during the return trip, and during the time occupied in loading and unloading, and to allow for the use of the boat about half its real cost. In other respects, it was utterly unworthy of trust.

ECONOMY FROM THE BEST GROUP OF ADAPTATIONS.

The truth is, the boat is but one part of the whole machine of transportation; economy in the service depends upon getting the best adaptation of all the various parts—the boat—the motive power—the canal, with its structures and its waterway; the best group of adaptations which adjustments and compromises of each can work out and combine, and the resultant of the greatest economies which can be obtained in conjunction.

A larger boat, in a waterway which now needs to be itself enlarged and improved to give a good transit to the present boat, would be an unmixed damage to the economy of the service, attained at immense cost.

PERFECTING THE CANAL THE WISE POLICY.

The Erie Canal was planned in view of the best science and experience then possessed. It has excellent adaptations. It is a superior instrument of transportation. It should not be fundamentally changed in its character and conditions without great consideration. It should be perfected, and so made available, to every practical extent, for facilitating and cheapening the exchanges of commodities between the East and the West.

ITS CAPACITY—ITS ECONOMY.

The two questions concerning it are: First, its capacity to do an aggregate business during a given period; secondly, the saving per ton per mile of the transportation it affords. These questions are generally confused in all discussions. They are completely distinct. They depend upon wholly different conditions.

ITS CAPACITY AMPLE.

Capacity to accommodate an aggregate tonnage during a day, a month, or a season of navigation, depends on the number of boats of the normal size which the locks are able to pass during the period. Boats can be multiplied indefinitely. The limit to their use is in the number to which the locks can give transit. The time occupied in a lockage is the test. But it is unnecessary to quality that, for the actual results of experience set at rest every doubt. Of the seventy-two locks which intervene between the waters of Lake Erie and the waters of the Hudson, all but a few have been doubled for many years. In 1867, when the subject was discussed in the Constitutional Convention, thirteen remained single. For the first time, on the opening of navigation next Spring, double locks will be brought into use throughout the entire canal. That will nearly double the capacity of the canal to make lockages. The largest delivery of the Erie Canal at tide water was in 1862. It amounted to 2,917,094 tons, in cargoes averaging 167 tons. The lockages both ways, and including rafts which pass only one way—the Alexander's, which is in the throat of the canal, three miles west of Schenectady—was 34,977. In 1873 the deliveries were 2,585,355 tons, in cargoes averaging 213 tons; and the lockages were 24,960.

The theoretical capacity of the canal will be three or four times the largest tonnage it has ever reached. There is no doubt it can conveniently and easily do double the business which has ever existed, even though the locks be not manned and worked with the highest efficiency. The subject of capacity may therefore be dismissed from this discussion.

ECONOMY PER TON PER MILE.

The question really worthy of our attention is how we can perfect the canal so as to reduce the cost per ton per mile of the transportation it affords.

Quickening the movement of the boat increases the service it renders in a given period. It lessens every element in the cost of that service. It enlarges the number of tons carried in the given time, and by enlarging the divisor of the same expenses it reduces the rate of cost per ton per mile.

TO BE INCREASED BY PERFECTING WATERWAY.

The economy in the transit of the boat must be made, not in the locks, but in the waterway. The seventy-two locks in the 345 miles between Buffalo and West Troy, if each takes five minutes, would occupy exactly six hours.

In October, 1873, seventy-six boats were timed, and their average passage down, with average cargoes of 227 tons, was ten days, two hours, and forty-six minutes, or nearly 243 hours. If we double the time taken in the locks, the time occupied on the levels between them would still be over ninety-five per cent. of the whole time of the voyage. It is clear, therefore, that the saving of time must be made in the ninety-five per cent., and not in the five per cent. Economy per ton per mile in the transportation, so far as it depends on the structure of the canal, is to be found in the relation which the waterway bears to the boat.

The movement of the boat through water confined in an artificial channel—narrow and shallow—is at best, very slow. The engineers, in 1835, planned the Erie Canal and the subsequent modifications to each other as to give the greatest economy of power and facility of transit. The boat has inclined to grow rather large and too square. The waterway was practically never excavated in every part to its proper dimensions. Time, the action of the elements, and neglect of administration, all tend to fill it by deposits. I may be excused for repeating here what I said in the Constitutional Convention eight years ago:

"What the Erie Canal wants is more water in the prism—more water in the waterway. A great deal of it is not much more than six feet, and boats drag along over a little skim of water; whereas it ought to have a body of water larger and deeper even than was intended in the original project. Bring it up to seven feet—honest seven feet—and on all the levels, wherever you can, bottom it out; throw the excavation upon the banks; increase that seven feet toward eight feet, as you can do so progressively and economically. You may also take out the bench-walls."

RECOMMENDATIONS.

I recommend that such measures be taken as your wisdom, aided by such information as can be had from the proper administrative officers, may devise, to put in good condition and to improve the waterway of the Erie Canal, and that provision be made by law to enable the State Engineer, soon after navigation is opened, to measure the depth of the water in the canal by cross sections as often as every four rods of its length, and on the upper and lower mitre sill of each lock.

FUTURE INVENTIONS AND ECONOMIES.

Such a policy, if properly executed, will give a better and more economical transit to the boats, if they continue to be towed by horses. It will also facilitate the use of steam canal-boats, and the full realization of the advantages they may be expected to give as to economy of transportation. The obstacle to their use in 1867 was that the machinery, in its then state, displaced too much cargo to be economical, and was in other respects imperfect. The progress of invention since seems to promise more beneficial results. If the movement of the boat can be expedited from 1 42-100 miles to three miles per hour, including the time consumed in the lockages, the improvement will be of great importance and value. The estimate of the able Engineer of the Commission on Steam Canal Navigation is that the cost of carriage of a bushel of wheat from Buffalo to New-York will be reduced from eight cents to four cents. It is not to be supposed that the inventive genius applied to this interesting subject is exhausted, and if these results shall, in any degree, fail to be realized by the present experiments, we may, nevertheless, anticipate more complete success in the future.

INCOME AND OUTGO.

It will be seen that on the Erie Canal alone the surplus of income over expenditure is about thirty-seven and one-half per cent. of the gross income. If the three other canals which are to be retained by the State as part of the system be included, the surplus is but eleven and two-fifths per cent.

TOLLS.

The present tolls on wheat are three and one-tenth cents, and on corn three cents per bushel, from Buffalo to Troy—345 miles. They were reduced in 1870—those on wheat from 6 31-100, or one-half, and those on corn from 4 83-100 to three cents, or about thirty-eight per cent.

One cent per bushel taken off the present tolls, and the same proportion on other articles, would annihilate nearly all the net income of the Erie Canal, considered alone, and would make a deficiency, in respect to the four canals retained, of $500,000 a year, if future expenditure should be the same as in these three years.

The construction of the details of the toll sheet belongs to the Canal Board, and adjustments from time to time may be necessary. Doubtless suggestions on that subject will always receive due consideration. But in the present condition of things, to embark hastily and unadvisedly upon a general reduction of tolls might well be considered as improvident, even in respect to the canals themselves. To confiscate the surplus of one cent, or one-half a cent per bushel, which alone gives the means of making the improvements expected to realize a reduction of four cents in the cost of transportation, would not seem a wise execution of the trust, even disregarding other considerations which cannot be wholly overlooked.

NO RASH INNOVATIONS.

The question of altering the gates of the locks, or otherwise lengthening the chambers, may be safely deferred until we can be more sure of its utility. The fact that, on the Delaware and Raritan Canal, which admits of long boats, the proportions which exist in those now used on the Erie Canal are preferred, is against that alteration, as is also the judgment of excellent canal engineers. Holding ourselves ready to accept improvements which have been subjected to trial and scrutiny, until they are practically assured of success, we ought to exercise the same caution, in respect to rash or crude innovations, which ordinarily governs men in private business.

FINANCIAL RESULTS OF THE LAST THREE YEARS.

The financial results of the fiscal years ending Sept. 30, 1874, 1873, and 1872, for the Erie Canal, and for the Champlain, the Oswego, and the Cayuga and Seneca, are as follows:

ERIE.

Year ending Sept.	Income.	Ordinary Repairs.	Extraordinary Repairs.	Total Expenditures.
'72..	$2,760,147 50	$1,025,579 09	$661,542 02	$1,687,021 11
'73..	2,710,691 49	749,977 03	967,175 39	1,717,152 42
'74..	2,672,757 22	701,340 81	973,548 96	1,674,889 77
	$8,143,596 21			$5,079,063 30
Income in excess of disbursements				3,064,472 91
Average for each year				1,021,490 97

CHAMPLAIN.

'72..	$150,644 28	$226,411 47	$251,871 61	$488,083 08
'73..	153,417 86	234,677 37	362,782 95	797,460 32
'74..	123,703 54	203,137 90	242,216 43	445,354 33
	$427,765 68			$1,730,897 73
Excess of expenditure over income				$1,303,132 05
Average for each year				434,377 35

OSWEGO.

'72..	$90,796 57	$171,794 82	$141,673 94	$313,468 76
'73..	88,428 13	94,936 60	78,280 58	172,819 39
'74..	70,119 59	167,938 21	75,501 29	183,459 50
	$249,344 29			$669,747 64
Excess of expenditure over income				$420,443 36
Average for each year				140,144 45

CAYUGA AND SENECA.

'72..	$17,892 53	$38,267 23	$26,219 00	$64,586 23
'73..	22,451 11	27,143 48	6,921 06	34,064 54
'74..	19,311 47	29,934 08	28,317 04	57,451 12
	$59,655 16			$156,101 89
Excess of expenditure over income				$96,926 73
Average for each year				32,142 42

RECAPITULATION FOR THREE YEARS.

Income over Expenditure.

Erie	$3,064,472 91

Excess of Expenditure over Income.

Champlain	$1,303,132 05
Oswego	420,443 36
Cayuga and Seneca	96,926 73— 1,820 002 14
Balance	$1,244,470 77
Each year	414,823 59

THE PAYING CANALS.

It will be seen that during the last three years the income of the Erie Canal, considered alone, has been $8,143,596 21, and its expenses $5,079,063 30, yielding a surplus of $3,064,472 91, or an average for each year of $1,021,490 97. The excess of expenditure over income of the three other canals which are to be retained by the State has been $1,820,002 14, or three-fifths of the surplus produced by the Erie. Considering the four as a system collectively, the surplus has been $1,244,470 77, or an average for each year of $414,823 59.

THE NON-PAYING CANALS.

During the same three years the five other canals to which the constitutional amendment applies have given an income of $119,864 45, or for each year of $39,954 81, against an expenditure of $1,596,499 74, or for each year of $532,166 59. They have consumed all the net income of the paying canals, and have charged the State with a loss of $252,164 52, or for each year of $84,054 84. In addition to this annual loss, the whole burden of the sinking fund to pay the canal debt is thrown upon the State.

INCREASE INCOME BEFORE DISCARDING INCOME.

A careful investigation whether the net incomes of the canals retained cannot be increased ought to precede a surrender of what they now exhibit. Ordinary repairs should be scrutinized with a view to retrenching their cost, and to obtaining the largest possible results from the outlay. Extraordinary repairs include much which so regularly recurs in different forms, that they must be considered a part of the maintenance of the works. No doubt they also include improvements which are of the nature of new capital. These and all improvements should be governed by a plan and purpose, leading to definite results; and, instead of scattering expenditures on imperfect constructions, should aim to complete and make available the specific parts undertaken. Unity of administration and of system, both in respect to repairs and improvements should be established, and only by the voluntary consultation and co-operation of officers having authority over separate portions of a single work. It is worthy of consideration, whether any legislation can aid in securing the unity in this respect, which existed under our former Constitution.

NEW-YORK THE TRUSTEE OF THE INTERESTS OF ALL.

The State, hearing all parties interested in the use of the canals, will remember that itself, as an arbiter and trustee, must look equitably to the interests of all. This it will do, in a wise, liberal, and just spirit. To the last degree possible it will cheapen facilities to trade. It will aim to preserve for its Metropolis its position as the carrier, merchant, and banker of the New World.

CHIEF FUNCTION OF THE CANAL SYSTEM—NEW-YORK CITY.

Inevitable changes must be recognized as the results of modern inventions and improvements in the machinery of transportation. When water routes alone existed products came to New-York for distribution to points which are now more easily and cheaply reached directly by rail. Railroads covering the country like a net-work, touch so many points that they are a more perfect and complete agency for the reception and distribution of produce than a water communication contoning a few principal points, and where the transit from the producer to the consumer requires the use of the rail to reach the water, or after leaving the water, or both, the all-rail route will often be preferred. New routes will acquire the business which is naturally tributary to them, and take business some portion of the general business. The main transportation of Western agricultural products is for local consumption in the East. What comes to us for our own consumption cannot be diverted. What goes for consumption elsewhere cannot be acquired. The exports of agricultural products to foreign countries are but a small part of the whole production. In those New-York will easily continue to maintain her pre-eminence.

The Champlain and Oswego canals are, as well as the Erie, in some sense trunk canals; and the Cayuga and Seneca Canal connects our interior lakes. It is a noteworthy fact that Mr. Flagg, who so long and honorably conducted the State finances when the Canal Department was a bureau in his office, always insisted that with the four canals now to be retained the system was complete. Those it is now proposed to abandon are not fruits of his policy.

DISPOSITION OF THE NON-PAYING CANALS.

The adoption of the constitutional amendment removing the prohibition against "selling, leasing, or otherwise disposing of" the canals owned by the State, in respect to all except the Erie, the Oswego, the Champlain, and the Cayuga and Seneca Canals, undoubtedly contemplates such action on your part as will disencumber the revenues of the canals retained by the State, and disembarrass the Treasury of the State from the unproductive works in respect to which the prohibition is withdrawn. It cannot have been supposed possible to "sell or lease" those works on conditions which require the purchaser to maintain or operate them. To "otherwise dispose of" them amounts to a practical abandonment.

USE AS FEEDERS.

Even to deal with them thus involves many important questions of a business character. Those portions of them which descend towards the Erie Canal act as feeders to supply water to that canal. The supply cannot be safely diminished, and might be judiciously increased. The improvement of the water-way contemplated will call for more water. The consideration of what must be done to retain as feeders portions of these canals not hereafter to be maintained by the State for navigation, or else other provision for a supply of water shall be substituted, is important. To make the change contemplated by the amendment, with as little harm as possible to private interests, and to consider and provide for cases of possible damage, which may be caused by the works when falling into disuse, needs careful study of the facts of the situation. It is also to be ascertained what portion, if any, of the property of the State connected with these works can be wisely sold.

A SPECIAL COMMISSION RECOMMENDED.

The best suggestion which occurs to me on this subject, is to impose the duty of considering and reporting on these questions upon a special commission consisting of four persons. In the meantime no expenditures should be made upon those works which are not strictly necessary in view of their probable future.

THE INTEREST OF NEW-YORK IN THE FINANCIAL POLICY OF THE UNITED STATES.

The State of New-York receives nearly seventenths of all the imports, and sends abroad nearly half of all the exports of the whole United States. In its commercial Metropolis a much larger share of our dealings with foreign nations in securities and money is transacted, and, as at a common mart, the exchanges are largely made between the people of the United States in domestic manufactures and products, and in public and corporate securities and stocks. More than one-half of the revenues of the Federal Government are collected within its borders, and at least one-fifth of all Federal taxation falls upon its citizens.

Since the Federal Government has assumed to provide a currency for the whole country, directly by the issue of its own notes, or indirectly by bank notes, which are secured upon bonds of the United States, and in case of default by the issuer, are to be paid, before resorting to the securities, by the United States; since it has incidentally absorbed the regulation of the business of banking; since it has largely increased its taxation, and imposes that taxation in forms which affect the courses of industry and the application of capital and labor, it is impossible to exclude these vast operations, and the administrative policy and the legislation connected with them, from a review of "the condition of the State," which it is the constitutional duty of the Governor to communicate, with such recommendations "as he shall judge expedient," "to the Legislature at every session."

CAN MORE CURRENCY REVIVE PROSPERITY?

The illusion is too common that an additional issue of currency in legal tenders or bank notes would alleviate the distress now felt in business, cause a general rise of prices, and revive a seeming, if not a real, prosperity. Thus many are tempted to desire or to acquiesce in a demand upon the Federal Government to put out new promises to pay, while it is yet in a long-continued default as to those heretofore made, and to do so, after ten years of peace, while having no better excuse for its present default than lack of skill in applying its abundant resources to the restoration of the public faith.

The hope of benefits to any class from such an unsound policy would prove to be completely fallacious. It would prolong and intensify the evils sought to be alleviated. This conclusion is clear upon principle and in our own experience. In order distinctly to see its truth, it is only necessary to analyze that function in the business of society which is performed by the circulatory credits known as currency.

CURRENCY BUT A PART OF CIRCULATING CREDITS.

To economize the use of metallic money, which had become the common instrument of exchange, personal credit, in the form of book accounts, was introduced. For example, the farmer delivered to the country merchant his grain when ready for the market, and the merchant delivered his goods at the times when they were wanted by the farmer for consumption; each delivery was entered in a running account, until a balance was struck; and even then the settlement generally took place without the intervention of money, which neither party had the capital to own for each transaction, or to pay the ultimate balance. Next came the note of hand, and, when the transaction was between parties doing business at different places, drafts and bills of exchange. At last the most refined tool of commerce became perfected. The bank note, promising to pay coin on demand, to bearer, in an even and convenient amount, engraved and authenticated—when issued by an institution or individual of established general credit—was voluntarily accepted by everybody in place of coin. It is the currency used in payment by those who do not keep bank accounts; and, in petty transactions, by those who do keep bank accounts. A credit inscribed on the books of the bank, known in the language of commerce as a deposit, and transferred by check, is the preferred medium of payment, in all sales by petty transactions, by those who keep bank accounts. It is preferred because a check may represent a large and uneven amount, which in notes would be inconvenient in the counting, handling, and custody; and a check payable to order is safer, and is itself an evidence of the payment. In dense communities, where the bank is near the customers, checks are mostly used. In sparse communities, where the bank is remote from the dealers and holders, bank notes are mostly used.

These two tools of trade and mediums of payment are, in their general functions, perfectly identical.

BANK NOTES AND CHECKS THE SAME IN EFFECT AND NATURE.

Their real nature is that they are a provision for expected payments, and a reserve for possible payments. On deposits the holder submits to a partial or total loss of interest, for some banks allow interest at low rates, on deposits: on bank notes the holder submits to a total loss of interest. To each holder the motive is ever present to reduce his non-interest-bearing reserve to the lowest necessary amount, by investing it, if it be his own, or by returning it, if it be borrowed.

THEIR AMOUNT VARIED BY PEOPLE'S WANTS, IF PAYABLE IN COIN.

If the currency be redeemable, the wants of the community, and not the wishes of the banks, will determine the amount which will remain outstanding. All that Government ought to do toward fixing that amount, is to provide methods to enforce payment by the issuers of such notes as the holders, not wishing to use, return to the issuers for redemption.

AMOUNT FLUCTUATES WITH THE TIMES.

It is true that, in times of speculation, the currency increases. Transactions become more numerous. Higher prices cause the same transactions to absorb more of the medium of payment. There is greater disposition to provide for contemplated or possible operations. There is less care to economize the loss of

the taxing power, and by reducing its expenditure would accumulate an adequate surplus. It has the borrowing power and good credit. It can make permanent loans and pay the treasury notes which are returned for redemption. It can convert them or fund them into interest-bearing securities. In that case, they would cease to be currency, and would take their place among investments like national, State, municipal, railroad, or other corporate bonds, or any of the numerous forms of moneyed securities, of which many thousand millions are held in our country. The circulatory quality, in securities of equal general credit, is chiefly a question of the rate of interest they bear.

The amount of coin necessary for resumption is, first, an adequate reserve to meet the demand for exportation, for which the Treasury would become the universal reservoir, and second, a surplus sufficient fully to assure the people that the Treasury supply would not be exhausted. The power to command coin as the owner of foreign bills of exchange, or in other forms, would, to a large extent, be equivalent to possessing coin. Beyond such an amount of coin, the question is simply a question of capital.

The exact time of actual resumption, the process, the specific measures, the discreet preparations—these are business questions to be dealt with, in view of the state of trade and of credit operations in our own country, the course of foreign commerce and the condition of the exchanges with other nations, the currents of the precious metals, and the stocks from which a supply would flow without undue disturbance of the markets of other countries. These are matters of detail, to be studied on the facts and figures. They belong to the domain of practical administrative statesmanship.

RESUMPTION LESS COSTLY THAN PRESENT IMPOLICY.

It is quite clear that the problem ought to be worked out, without costing the country anything like such disturbance in its business and industries as the operations of the Federal Government during the last ten years have repeatedly created. The natural causes which affect trade may be foreseen, and all dealers can calculate them with equal advantages in everything except their own differences in intelligence and judgment. But the action of an official conducting the largest financial operations in the country, and exercising dominion over the circulatory credits that are part of the machinery by which the mass of private transactions are carried on, cannot but tend to create in all industries uncertainty, confusion, and miscalculation.

HOW PRESENT IMPOLICY HARASSES ALL BUSINESS.

It was said, after the revulsion of 1837, that the barometer of the money market of America hung up in the parlor of the Bank of England. The barometer which hangs up in the Treasury Department at Washington does not merely indicate conditions and changes of the financial atmosphere; it creates them. Its stormy vicissitudes harass the business of the whole country.

The partial cessation of productive industries and the partial want of employment which now exist are chiefly produced by the fear of the employers that, if they carry on their works, they may produce in a glut. The abstinence from purchase by all those classes of dealers, who buy and get up stocks to provide for future consumption, is chiefly caused by the fear of a further decline of prices. Under these apprehensions, the demand is much less than the ordinary consumption. The instant manufacturers or merchants are convinced that prices have reached the bottom, even for the period of an ordinary business operation, they will begin to resume their function in the economy of trade. The wheels of our complex industries will move, workmen will find employment, and, with revived confidence in the future, prosperity will be renewed in its sources. Nothing could be more unwise, more anachronous in its ultimate results, than to interrupt the healing process of nature by expedients which will fail of affording any real relief, and will be certain to accumulate new materials for another catastrophe.

It has seemed to me fit that, on this occasion, the opinions of the great Commonwealth we represent, which is so largely interested in these questions, should be declared on the subject of legal-tender, public integrity, and national honor; and, in making this communication the medium of an authentic expression on the subject, I follow the example, on similar occasions, of several of the most illustrious of my predecessors.

RESULTS DURING TEN YEARS OF PEACE.

It is now almost ten years since the civil war ceased. That period ought to have sufficed to renew our productive industries, to repair the waste of our accumulated capital, and to restore to our people a sound and durable prosperity. But an indispensable condition of such results was energy, skill and economy in production, and frugality in public and private consumption.

MISUSED POWERS OF THE FEDERAL GOVERNMENT.

The Federal Government has all the while been the greatest single power in the country to influence results, not only by its own vast fiscal operations, its dominion over the currency and the business of banking, and the effect of its transactions on investments of capital, and on the temporary conditions of the money market, but by the ascendancy it acquired during a period of public danger over public opinion and over the conduct of individuals. It is to be deplored that this great capacity for controlling action and for leadership has not conducted us to better results.

The period has been characterized by unsound public finance, an uncertain policy in respect to the currency, a series of speculative excitements tending to unproductive enterprises and unremunerative investments of capital, and terminating in distressing reactions in credit and business; a want of efficiency and economy in production, extravagance in public and private expenditure, enormous taxation and complicated systems of revenue—which have increased the cost and wasted the fruits of that taxation and rendered capital and labor less productive—and frequent spoliation of private and public trusts.

GOVERNMENTS TOO COSTLY.

In the decade beginning July 1, 1865, the people will have paid in taxes, computed in currency, seven thousand millions of dollars. Three-fifths were for the use of the Federal Government, and two-fifths for the State and municipal governments. It is doubtless true that some portions of the municipal expenditures were for objects not strictly governmental. But it cannot be questioned that much too large a portion of the whole net earnings of industry, and of the whole net income of society, is taken for the purpose of carrying on government in this country. The burden could more easily be borne when values were high and were ascending. As they recede toward their former level, the taxes consume a larger quantity of the products which have to be sold in order to pay them. They weigh with a constantly increasing severity upon all business and upon all classes. They shrivel up more and more the earnings of labor. This condition of things ought to astonish us, in our respective spheres, to be as abstinent as possible in appropriations for public expenditures. If the cost of government in our country were reduced, as it ought to be, one-third, it would still be larger than a few years ago, taking account of the prices of the products, which, in order to pay that cost, we are compelled to convert into money.

TAXATION TOO BURDENSOME—THE PROSTRATION OF THE SOUTH.

The people are less able to bear such taxation by reason of the want of efficiency and economy in production, and the want of frugality in consumption, generated by the causes already indicated, and also by reason of the failure to completely renew the productive energies and activities of the States of the South, which furnish about half of the exportable commodities of the country other than specie; which are large consumers of our manufactures and productions, and which make us their carriers, merchants, and bankers in all their domestic and foreign transactions.

It has been proudly ascribed to the humanity of our age, that since the surrender at Appomattox not one life has been sacrificed to the policy of the victorious Government. It is to be wished that we were equally free from the criticism that the retribution visited upon our former adversaries merely conforms to the higher modern estimate of property, as compared with life; that exercising a moral coercion, inverted by a standing menace of military force, we have held those communities, bound in witnes, to be plundered by ruiers destitute of support in their public opinion, and without title to our own respect or trust.

FINAL ACCEPTANCE OF THE AMENDMENTS TO THE FEDERAL CONSTITUTION.

Such has been our course after and in spite of the fact that these our kindred, in a common ancestry, a common heritage, and a common future, had joined at national conventions in the nomination of candidates and in the declaration of principles and purposes which form an authentic acceptance of the results of the war embodied in the last three amendments to the organic law of the Federal Union; and that they had by the suffrages of all their voters at the last national election, completed the proof that they now only seek to share with us and to maintain the common rights of American local self-government in a fraternal union under the old flag, with "one Constitution and one destiny."

There should be no misunderstanding as to this position of our Southern brethren, or of any portion of our fellow citizens. The questions settled by the war are never to be reopened.

The adoption of the Fourteenth, Fifteenth, and Sixteenth Amendments to the Federal Constitution closed one great era in our politics. It marked the end forever of the system of human slavery, and of the struggles that grew out of that system. These amendments have been conclusively adopted, and they have been accepted in good faith by all political organizations, and the people of all sections. They close the chapter; they are and must be final; all parties hereafter must accept and stand upon them, and henceforth our politics are to turn upon questions of the present and the future, not upon those of the settled and final past.

THE PEOPLE MUST AGAIN ATTEND TO PUBLIC AFFAIRS.

The nobler motives of humanity concur with our interests in making us hail, with heartfelt congratulations, a real and durable peace between populations unnaturally estranged. The time is ripe to discard all memories of buried strifes, except as a warning against their renewal; to join all together to build anew the solid foundations of American self-government. For nearly a generation the controversies which led to fratricidal conflict have drawn away the attention of the people from the questions of administration, which involve every interest and duty of good government. The culture, the training, and the practice of our people in the ordinary conduct of public affairs, have been falling into disuse. Meanwhile, the primitive simplicity of institutions and of society in which Government was little felt, and could be neglected with comparative impunity, has been passing away. If public necessities must wring so much from the earnings of individuals, taxation must become scientific. In our new condition all the problems of administration have become more difficult. They call for more intellect and more knowledge of the experience of other countries. They need to become the engrossing theme of the public thought in the discussions of the press and in the competition of parties, which is the process of free institutions. The people must once more give their attention to questions that concern the ordinary conduct of government, if they would have our country to start afresh in a career of prosperity and renown.

SAMUEL J. TILDEN.

APPENDIX.

BANKS.

On the 1st day of October last, eighty-one banks were doing business under the laws of this State. During the fiscal year then ended five banks were organized and four were closed, one of which failed. Of the five banks created, three were organized with less than $100,000 of capital each, under chapter 126 of the laws of 1874.

Circulating notes to the amount of $6,368 were destroyed by the Bank Department during the year. Sixty-seven banks were credited with lost circulation to the amount, in all, of $265,559, the time for redeeming the same, after the usual legal notice, having expired. The amount of circulation outstanding, that of incorporated banks, banking associations, and individual bankers, was, on the first day of October last, $1,105,189 50. Of this amount the sum of $367,438 was secured by deposits of cash, stocks, or stocks and mortgages. The residue, $737,751 50, is not secured, it having been issued prior to the passage of the General Banking law. Steps have been taken by twelve banks for the fiscal redemption of $160,301 of these unsecured notes, in accordance with the provisions of chapter 585 of the laws of 1873.

SAVINGS BANKS.

One hundred and fifty-six savings banks, (two of which were closing,) reported to the Bank Department on the first day of July last. Their assets, in the aggregate, amounted to $316,122,790, having increased during the year then ended $1,367,020. The increase in assets during the first six months of 1874 was $3,353,060. The number of persons having deposits in these institutions was, according to the number of open accounts Jan. 1, 1874, 839,472, being an increase of 16,830 during the year.

TRUST, LOAN, AND INDEMNITY COMPANIES.

On the first day of July last, twelve trust, loan, and indemnity companies reported to the Bank Department, under chapter 324 of the laws of 1874. The aggregate of capital paid in, as shown by their reports, was $11,752,040, and the amount due to their depositors was $38,479,764.

INSURANCE DEPARTMENT.

The number of insurance companies, subject to the supervision of the Insurance Department, on the first day of December, 1874, was 282, as follows:

New-York joint stock fire insurance companies	102
New-York mutual fire insurance companies	8
New-York marine insurance companies	9
New-York life insurance companies	26
New-York plate glass insurance company	1
Fire insurance companies of other States	87
Marine insurance companies of other States	1
Life insurance companies of other States	27
Casualty insurance companies of other States	4
Canadian fire insurance companies	3
Foreign fire insurance companies	11
Foreign marine insurance companies	3
Total	382

The total amount of stocks and mortgages held by the Insurance Department for the protection of policyholders of life and casualty insurance companies of this state, and of foreign insurance companies doing business within it, was $10,404,953, as follows:

For protection of policy-holders generally in life insurance companies of this State	$3,689,391
For protection of registered policy-holders exclusively	3,250,342
For protection of casualty policy-holders exclusively	1,000
For protection of plate-glass policy-holders exclusively	50,000
For protection of fire policy-holders in insurance companies of other States	40,000
For protection of fire policy-holders in insurance companies of Canada	600,126
For protection of fire policy-holders in foreign insurance companies	2,473,100
For protection of life policy-holders in foreign insurance companies	300,000
Total deposit	$10,404,953

QUARANTINE.

During the past year, fifty-seven vessels arrived at the port of New-York, in which, during the passage or while in port, sickness had occurred, rendering them subject to quarantine detention. Eight vessels had cases of small-pox on board, from which 3,228 persons had been exposed to the disease; 121 cases of yellow fever occurred on forty-four vessels bound for New-York, and twelve patients with this disease reached the port and were cared for at the Dix Island Hospital, of whom two died; and five cases of ship fever were removed by the Health Officer to the hospital. No cases of cholera occurred in the port, but several cases of arrivals from ports infected with the disease, on three of which, coming from India, deaths from cholera occurred during the passage. No new disease called for any action by the Health Officer.

During the year an epidemic of malignant yellow fever raged in Havana with unprecedented violence, and prevailed in Rio Janeiro and in twelve other South American and West Indian ports, and also in Pensacola and some other Southern ports of the United States, having extensive and direct communication with New-York. In Havana, the deaths from yellow fever reached the enormous extent of eighty per cent. of the persons attacked, and, in some cases, vessels lying in that harbor during the Summer lost all their crews except one or two. It is worthy of notice, that while in previous years nearly nine-tenths of all cases of yellow fever came from the port of Havana, so small a number reached here during the present year. This result, in the opinion of the Health Officer, is largely due to the sanitary precautions taken by the officers of the vessels, most of whom, being connected with regular lines, are becoming familiar with the quarantine regulations of the port, and with the rigid, though reasonable, restrictions to which vessels having infectious diseases on board are subjected.

During the quarantine season, 1,135 vessels arrived at quarantine from suspected ports; of these 236 were from ports known to be infected, and were detained; and 68 were required to discharge their cargoes on lighters in the stream before going to the City.

EMIGRATION.

The following table shows the statistics of emigration for the last fifteen years:

Years.	Commutation fee.	Aliens arrived.	Number of emigrants cared for on Ward's Island.	Total cash receipts.	Total cash disbursements.	Amount paid for real estate included in the total cash disbursements.	Amount paid for inst'ts included in the total cash disbursements.	Amount paid to counties and inst'ts for support of emigrants.
1860	$2 00	105,162	4,729	$278,487 93	$274,717 93			
1861	2 00	91,918	3,347	174,454 99	168,524 56			
1862	2 00	72,985	4,911	141,027 00	138,153 76			
1863	2 00	176,844	7,345	377,783 39	373,983 21			
1864	2 00	193,418	10,305	545,983 22	545,677 22			
1865	2 00	230,539	13,237	632,043 20	631,854 20			
1866	2 00	242,731	14,360	688,104 40	687,949 40			
1867	2 00	248,989	14,310	677,349 56	676,949 56			
1868	2 00	213,103	11,501	568,119 20	567,944 20			
1869	2 00	249,358	12,268	605,904 17	605,544 17			
1870	2 00	387,203	14,360	1,039,783 38	1,039,783 38			
1871	2 00	321,350	11,501	878,703 23	878,703 23			
1872	2 00	404,044	12,268	1,129,735 07	1,129,735 07			
1873	2 00	459,803	14,360	1,335,805 17	1,335,805 17			
1874*	1 50	271,160	6,300	1,125,769 74	1,125,769 74	$38,869 08	$134,450 00	$1,737 20
Total		3,570,723	151,225	10,652,524 34	10,642,797 26	38,869 08	134,450 00	1,737 20
1874†	1 50	135,383	6,300	931,735 07	931,735 07		18,016 98	
Total		3,706,106	157,525	11,584,259 41	11,574,532 33	38,869 08	152,466 98	1,737 20
1875*	1 50	2,570,494	107,103	753,078 24	753,078 24		16,792 22	53,556 81

* For eleven months.
† This sum included back claims.

PRESENT FINANCIAL CONDITION OF THE COMMISSION.

The indebtedness of the board is as follows:

Due the Equitable Life Assurance Society, amount borrowed on bond and mortgage of the lands at Ward's Island	$100,000
Due the counties and charitable institutions of the State, for the care and support of emigrants during the past one and a half years	75,000
Due for current expenses at Castle Garden....	16,000
Estimated expenses of the Castle Garden and Ward's Island establishments for the month of December, (including $10,000 due for coal)	$30,000
Less cash on hand and estimated receipts	20,000 —$10,000
Total estimated indebtedness Dec. 31, 1874	$201,000

The number of emigrants at present cared for at Castle Garden and Ward's Island is 1,041, and in the counties about 900. During the months of January and February the number to be cared for at Ward's Island will increase to about 2,000, and in the counties to more than 1,200. On the 1st of January next the Commissioners will practically be without funds to care for these persons. The expenses of the Ward's Island and Castle Garden institutions will, during the months of January and February, be about $25,000 per month, while the receipts will not exceed $5,000 per month.

COMMON SCHOOLS.

The statistics of the common schools for the year ending Sept. 30, 1874, are as follows:

Total receipts, including balance on hand Sept. 30, 1873	$11,944,023 38
Total expenditures	10,779,779 61
Amount paid for teachers' wages	7,559,090 59
Amount paid for school houses, repairs, furniture, &c.	1,721,282 64
Estimated value of school-houses and sites, &c.	28,714,738 00
Total number of school-houses	11,775
Number of school districts, exclusive of cities	11,299
Number of teachers employed at the same time for the full legal term of school	18,554
Number of teachers employed during any portion of the year	29,603
Number of children attending public schools	1,039,097
Number of persons attending normal schools	6,568
Number of children of school age in private schools	138,610
Number of volumes in school district libraries	835,882
Number of persons in the State between five and twenty-one years of age	1,501,874

COLLEGES AND ACADEMIES.

The condition of the colleges and academies, subject to the visitation of the Regents of the University, is very satisfactory.

There are within the State twenty-two literary colleges, ten medical colleges, and 240 academies and seminaries of departments of union schools. With several of the colleges included in this enumeration are connected special schools of law, of medicine, and of other branches of science. By the wise liberality of individual citizens, the endowments and appliances of several of these institutions have, during the last year, been largely increased, and their means of usefulness greatly extended. The number of scholars in attendance upon the academies has increased, and the standard of scholarship has, upon the whole, considerably advanced. These institutions, while they prepare students for admission to the colleges, are also designed to fit another class for immediate entrance upon the practical duties of life, and, thus complementing the work of the common schools, form an important part of the educational institutions of the State.

STATE LIBRARY AND MUSEUM.

The State Library, in both its departments, has been enlarged by the application of all the means at the disposal of the Trustees. In the extent and value of its contents it is a source of just pride to the people of the State. The law library numbers about 26,000 volumes, and the general library about 68,000, including many rare and valuable works.

The State Museum of Natural History, under the management of its able curator, Prof. Hall, is reported to be in excellent condition, and exhibits the productions of the State in a manner to afford to the student of natural science most valuable aid in his studies.

THE NATIONAL GUARD.

The National Guard consists of eight divisions, containing nineteen brigades, composed of one regiment and nine separate troops of cavalry, one battalion and ten batteries of artillery, thirty regiments and thirteen battalions of infantry. Total officers, non-commissioned officers, musicians, and privates, (three brigades estimated,) 20,532.

SOLDIERS OF WAR OF 1812.

The last Legislature made an additional appropriation of $100,000 for redeeming certain certificates issued to soldiers of the war of 1812.

The former appropriation paid on the certificates allowed $81 52 of the $100 of principal.

The appropriation of 1874 paid the balance due on the principal, and $46 72 on $100 of interest.

WAR CLAIMS AGAINST THE UNITED STATES.

On the 1st day of January, 1874, the unsettled balance in favor of the State was $1,209,286 11. Since that time another installment of over $34,000 has been presented to the Treasury Department. In the unsettled balance above stated, is included a claim for $131,188 02, interest on Controller's bonds, which cannot be paid without legislative action.

SALT SPRINGS.

The quantity of salt from the Onondaga salt springs, inspected during the last fiscal year, was 6,594,191 bushels, less by 1,364,981 bushels than the production of the preceding year. The net revenue from this source was $10,341 67, showing a falling off, as compared with the preceding year, of $11,424 08.

STATE PRISONS.

The following statement shows the expenditures and earnings of each of the prisons for the year ending Sept. 30, 1874:

	Advances from the Treasury.	Received from Earnings.	Excess of Expenditures.
Auburn	$233,166 90	$101,910 40	$131,256 50
Clinton	337,678 12	153,473 60	184,204 52
Sing Sing	360,054 58	124,009 43	236,045 15
Miscellaneous expenditures, not distributed, including $26.231 25 for transp'tn of convicts			37,031 25
Total	$930,899 60	$379,393 43	$588,537 42

In 1867 the excess of advances from the Treasury over receipts from earnings was $366,874 79

In 1868	512,547 74
In 1869	595,774 45
In 1870	461,304 99
In 1871	470,309 29
In 1872	465,881 84
In 1873	597,289 06
In 1874	588,537 42

The number of convicts in each of the prisons Sept. 30, 1874, was as follows:

Auburn	1,202
Clinton	552
Sing Sing	1,306
Total	3,060
Sept. 30, 1873	3,025

FINANCIAL.

$1,000,000

MUNICIPAL BONDS

OF THE

CITY OF CINCINNATI

Are Offerd for Sale

in coupon bonds of $1,000 and $500, bearing seven and three-tenths (7 3-10) per cent. interest, payable Jan. 1 and July 1 in each year at the American Exchange National Bank in New-York.

These bonds are part of an issue of $10,000,000 authorized to be made for the construction BY THE CITY OF CINCINNATI of a line of railway from said city to Chattanooga, Tenn., the income of which is paid directly into the Treasury of Cincinnati.

THE FAITH AND CREDIT OF THE CITY IS PLEDGED FOR THE PAYMENT OF PRINCIPAL AND INTEREST OF THIS LOAN, AND THE CITY GOVERNMENT OF CINCINNATI IS REQUIRED BY LAW, ANNUALLY, TO LEVY A TAX SUFFICIENT TO PAY THE INTEREST AND PROVIDE A SINKING FUND FOR THE FINAL REDEMPTION OF THE BONDS.

$2,700,000 of this loan have been heretofore issued, and the bonds are now selling at 103 AND INTEREST.

EACH PROPOSAL will state the rate of premium that is bid, to which will be added accrued interest from Jan. 1 to date of payment.

FULL PAYMENT may be made and the bonds delivered on Jan. 20, or at the pleasure of the bidder, at any date not later than March 1. In case of deferred payments, a marginal deposit of five per cent. will be required.

ALLOTMENTS will be made at the earliest possible day after the opening of the bids.

The right is reserved to reject any proposals, and to allot a portion of any bid should the total bids exceed the amount now offered.

The total indebtedness of the City of Cincinnati was, on Oct. 17, 1874	$9,599,500
And its entire debt after the issue of the whole of the present loan will be about	16,000,000
The property owned by the city is valued at	20,000,000
The property assessed for taxation in 1873 was	180,926,390

AMERICAN EXCHANGE NATIONAL BANK,
No. 128 Broadway, Dec. 30, 1874.

This Bank will receive sealed proposals for One Million Dollars 7-30 Bonds of the City of Cincinnati, redeemable in 1902—principal and interest payable at this Bank—in accordance with the above advertisement.

Bids will be opened Jan. 9, prox., at 12 o'clock M.

GEORGE S. COE,
President American Exchange National Bank.

AGENCY OF

Merchants' Bank of Canada,

NO. 62 WALL ST.

Capital $9,000,000 Gold
Paid up 7,340,930 Gold

BILLS OF EXCHANGE BOUGHT AND SOLD, COMMERCIAL CREDITS GRANTED, DRAFTS ON CANADA ISSUED, BILLS COLLECTED, AND OTHER BANKING BUSINESS TRANSACTED.

WALTER WATSON, WM. J. INGRAM, } Agents.

LONDON AGENCY, NO. 32 LOMBARD ST.

OFFICE OF THE CONSOLIDATION COAL COMPANY OF MARYLAND, No. 71 BROADWAY, NEW-YORK, Dec. 30, 1874.

THIS COMPANY WILL PURCHASE for its Sinking Fund its first mortgage Seven per Cent. bonds to the amount of ($29,320) Twenty-nine Thousand Three Hundred and Twenty Dollars in Cash, and invites proposals for the surrender of any of said bonds to that extent.

Bids should be addressed to the "Committee on Sinking Fund," at this office on or before the 9th day of January, 1875, at 12 o'clock M., when the same will be opened and the amount awarded to the most favorable bidders for the Company. H. C. HICKS, Treasurer.

THE SECOND NATIONAL BANK OF THE CITY OF NEW-YORK, 5TH AV., CORNER 23D ST., NEW-YORK, Jan. 2, 1875.

THE ANNUAL ELECTION OF DIRECTORS OF this bank will be held at the bank on TUESDAY, Jan. 12, 1875, between the hours of 9 and 10 A. M.
O. D. ROBERTS, Cashier.

PHENIX NATIONAL BANK, NEW-YORK, Dec. 29, 1874.

THE ANNUAL ELECTION FOR DIRECTORS of this bank will take place at the banking-house on TUESDAY, the 12th of January, 1875.
Polls open from 12 M. to 1 P. M.
JOHN PARKER, Cashier.

THE AMERICAN EXCHANGE NATIONAL BANK, NEW-YORK, Dec. 1, 1874.

ELECTION.—AN ELECTION FOR DIRECTORS will be held at the office of this bank on TUESDAY, Jan. 12 next, from 12 M. to 1 o'clock P. M.
E. WILSON, Cashier.

FOURTH NATIONAL BANK OF THE CITY OF NEW-YORK, NEW-YORK, Dec. 11, 1874.

ELECTION.—THE ANNUAL ELECTION FOR NINE Directors and for three Inspectors of next election, will be held at the banking-house, on TUESDAY, Jan. 12, 1875. Polls open from 12 M. to 1 o'clock P. M.
F. E. LATHROP, Assistant Cashier.

NATIONAL BUTCHERS' AND DROVERS' BANK, NEW-YORK, Dec. 11, 1874.

THE ANNUAL ELECTION FOR DIRECTORS of this bank will be held at the banking-house, No. 134 Bowery, on TUESDAY, Jan. 12, 1875, between the hours of 12 M. and 1 P. M.
G. G. BRINCKERHOFF, Cashier.

ROBERT WINTHROP & CO.
BANKERS AND BROKERS,
NO. 18 WALL ST.,
between the hours
Execute orders for STOCKS, BONDS, and GOLD, allow interest on DEPOSITS, and transact a general Banking and Brokerage business.

PACIFIC BANK, NEW-YORK, Dec. 31, 1874.

THE ANNUAL ELECTION FOR THIRTEEN Directors will be held at their banking-house, TUESDAY, the 12th day of January next, between the hours of 12 M. and 1 o'clock P. M.
R. BUCK, Cashier.

BOWERY NATIONAL BANK, NEW-YORK, Jan. 4, 1875.

THE ANNUAL ELECTION FOR DIRECTORS of this bank will be held at the banking-room on TUESDAY, Jan. 19, 1875, between the hours of 12 M. and 1 P. M.
R. HAMILTON, Cashier.

METROPOLITAN, NEW-YORK MUTUAL, and WILLIAMSBURG GAS STOCKS, CITY RAILWAY and TRUST COMPANIES' STOCKS bought and sold by
W. C. NOYES,
Nos. 4 and 6 Pine st.

FIRE INSURANCE STOCKS BOUGHT AND sold by WM. C. GILMAN, No. 46 Pine st.

FINANCIAL.

VERMILYE & CO.

BANKERS,

16 and 18 Nassau st., New-York.

DEALERS IN ALL ISSUES OF GOVERNMENT SECURITIES.
NEW-YORK CITY AND BROOKLYN BONDS.
BUY AND SELL ON COMMISSION
RAILWAY STOCKS, BONDS, AND GOLD.

INTEREST ON DEPOSITS.

WASHN B. VERMILYE, JAS. A. TROWBRIDGE
DONALD MACKAY LATHAM A. VISH

TO THE HOLDERS OF THE RAILROAD AND LAND GRANT BONDS OF THE LITTLE ROCK AND FORT SMITH RAILROAD COMPANY:

Notice is hereby given that a corporation has been organized under the laws of the State of Arkansas, by the name of the Little Rock and Fort Smith Railway, which corporation has become vested under foreclosure sales with the title to the railroad, land grant, and all other properties formerly owned by the Little Rock and Fort Smith Railroad Company.

Pursuant to votes of the Directors of the Little Rock and Fort Smith Railway, passed in accordance with the terms of the decrees of the United States Circuit Court confirming said sales, every holder of the railroad or land grant bonds of the old company, upon the transfer of his bonds and all rights under them, and his stock in the old company to the new company, will be entitled to receive fifty-five per cent. of the par value of his bonds, excluding coupons, in the stock of the new company, provided he shall at the time of such transfer pay five per cent. of the par value of his bonds, excluding coupons, within sixty days, from Dec. 19, 1874, in cash to the new company. For this five per cent. in cash and interest thereon, until July 1, 1875, each person will be entitled to receive the first mortgage bonds of the new company. The capital stock of the new company is $5,000,000, divided into shares of $100 each.

It is manifestly for the interest of every holder of the bonds of the old company to avail himself of this privilege within the time specified, for otherwise he will be remitted to his distributive share in the proceeds of the sales of the road and lands, which, after payment of expenses, will probably amount to less than one per cent. on the par value of each class of bonds.

The bonds will be received and stock issued at the office of the Little Rock and Fort Smith Railway, No. 70 State st., Boston, Mass., on and after Monday, Jan. 4, 1875.
JOSEPH H. CONVERSE,
President Little Rock and Fort Smith Railway.

AN UNUSUALLY DESIRABLE INVESTMENT.

THE BAXTER STEAM CANAL-BOAT TRANSPORTATION COMPANY.

H. H. VAN DYCK, (late Assistant Treasurer United States,) President.

FINANCE COMMITTEE OF DIRECTORS.

FRANKLIN EDSON, (President Produce Exchange,)
C. N. JORDAN, (Third National Bank, New-York.)
PHILO REMINGTON, (President Bank of Ilion, New-York.)
H. H. VAN DYCK.

A limited amount of the stock is offered to investors. The earnings and advantages of the company, its responsible management, and the unlimited demand for its facilities, make it one of the most profitable, safe, and desirable investments ever offered.

Full statement and particulars given on inquiry in person or by letter.

RIPLEY & CO.
Bankers and Financial Agents,
No. 32 Pine st., New-York.
INVESTMENT SECURITIES BOUGHT AND SOLD.
COUPONS COLLECTED.

OFFICE OF WILLCOX & GIBBS SEWING-MACHINE CO., No. 658 BROADWAY, NEW-YORK CITY, Dec. 30, 1874.

THE ANNUAL MEETING OF STOCKHOLDERS for the election of seven Trustees for the ensuing year, will be held at the office of the company on the 15th day of January, 1875, at 11:30 A. M.

Prompt and full attendance of stockholders especially requested.

The stock transfer-books will be closed from Dec. 31 until Jan. 16, 1875. By order of the board.
J. PARMLY, Jr., Secretary.

NOTICE.—THE COMMISSIONERS OF FAIRFIELD County, Ohio, give notice that they are now prepared to redeem the Fairfield County Railroad bonds issued for the construction of the Cincinnati, Wilmington and Zanesville Railroad, and request all holders of such bonds to forward them to either of the banks in Lancaster, Ohio, where they will be paid if thought genuine. If not presented for payment on or before the 1st day of April, 1875, the interest will not be paid after that date.

By order of the Board of Commissioners.
Dec. 20, 1874. JOHN C. HITE, County Auditor.

NINTH WARD BANK, NEW-YORK, Jan. 5, 1875.

CERTIFICATION OF THE TWO FOLLOWING checks drawn on this bank, viz: Sweezey & Dart for $3,500, and James S. Bishop for $571, having been obtained through fraudulent representations, the payment of the same has been stopped, and all parties are hereby cautioned against negotiating or receiving the same.
J. O. NOXON, Cashier.

OFFICE OF THE EAGLE FIRE COMPANY OF NEW-YORK, NEW-YORK, Dec. 30, 1874.

THE ANNUAL ELECTION FOR DIRECTORS OF this Company, and for Inspectors, will be held at the Company's Office, No. 71 Wall st., on TUESDAY, Jan. 12, 1875, commencing at 12 o'clock M. and closing at 1 o'clock P. M.
A. J. CLINTON, Secretary.

MERCHANTS' NATIONAL BANK, NEW-YORK, Dec. 9, 1874.

THE ANNUAL MEETING OF THE STOCKholders of this bank for the election of eleven Directors to serve the ensuing year, will be held at the banking-house, Tuesday, 12th January, 1875. Polls open from 12 M. to 1 P. M. By order of the Board.
C. V. BANTA, Cashier.

AN ELECTION OF FIVE TRUSTEES OF THE NEW-YORK BALANCE DOCK COMPANY will be held at the office of the President of the company, No. 12 Wall st., in the City of New-York, between the hours of 12 o'clock M. and 1 o'clock P. M. on the second WEDNESDAY of January proximo.
JAMES B. NICHOLSON, Secretary.
Dated NEW-YORK, Dec. 31, 1874.

NOTICE IS HEREBY GIVEN, THAT THE NEXT annual meeting of the stockholders of the New-York, New-Haven and Hartford Railroad Company for the election of a Board of Directors will be held at the Temple of Music, in the City of New-Haven, on WEDNESDAY, the 13th day of January, A. D. 1875, at 11 o'clock A. M. The transfer books will remain closed until Jan. 14, 1875.
Dated NEW-YORK CITY, Dec. 16, 1874.
WM. D. BISHOP, President.

THE ANNUAL MEETING OF STOCKHOLDERS of the Fairchance Iron Company for the election of Directors will be held at the office of Messrs. Perkins, Livingston, Post & Co., No. 59 Liberty st., New-York City, on WEDNESDAY, the 13th day of January, 1875, at 1 o'clock P. M.
R. IRVIN, Jr., Secretary.

CITY OF LOUISVILLE 7 PER CENT. BONDS: UTICA, CHENANGO AND SUSQUEHANNA VALLEY RAILROAD Six per Cent. Stock, guaranteed by DELAWARE, LACKAWANNA AND WESTERN COMPANY, payable Semi-annually, on 1st May and November. For sale by WM. ALEXANDER SMITH & CO., Bankers, No. 40 Wall st.

MECHANICS' AND TRADERS' BANK, NEW-YORK, Dec. 23, 1874.

AN ELECTION FOR DIRECTORS OF THIS institution for the ensuing year, and for three inspectors for the next ensuing election, will be held at the banking-house on WEDNESDAY, Jan. 13, 1875. Poll open from 2 to 3 o'clock.
GEO. W. YOULE, Cashier.

THE MARKET NATIONAL BANK, NEW-YORK, Dec. 22, 1874.

THE ANNUAL ELECTION FOR DIRECTORS for the ensuing year will be held at the banking-house on TUESDAY, Jan. 12, 1875, between the hours of 12 M. and 1 P. M.
A. GILBERT, Cashier.

THE HANOVER NATIONAL BANK OF THE CITY OF NEW-YORK, NEW-YORK, Dec. 11, 1874.

THE ANNUAL ELECTION FOR DIRECTORS for the ensuing year, will be held at the office of this bank, No. 33 Nassau st., on TUESDAY, Jan. 12, 1875, between the hours of 12 M. and 1 P. M.
GEORGE W. PERKINS, Cashier.

TRADESMEN'S NATIONAL BANK, NEW-YORK, Dec. 29, 1874.

AN ELECTION FOR DIRECTORS WILL BE held on TUESDAY, Jan. 12, from 1 to 2 P. M.
ANTHONY HALSEY, Cashier.

BROWN BROTHERS & CO.
NO. 59 WALL ST.,
ISSUE COMMERCIAL and TRAVELERS' CREDITS AVAILABLE in all PARTS of the WORLD.

THE NATIONAL PARK BANK, NEW-YORK, Dec. 18, 1874.

ELECTION.—AN ELECTION FOR DIRECTORS of this Bank will be held at the banking-rooms, on TUESDAY, Jan. 12, from 12 M. to 1 o'clock P. M.
J. L. WORTH, Cashier.

BANKING-HOUSE OF EDMUND D. RANDOLPH & CO., No. 6 Wall st., N.Y., Jan. 1, 1875.

WE THIS DAY OPEN A HOUSE IN PHILADELPHIA under the name of RANDOLPH, BICKLEY & Co., which will also be the title of the New-York house from this date. Mr. WM. J. BLACK is admitted to an interest in the firm.
EDMUND D. RANDOLPH & CO.

THE GERMAN AMERICAN BANK, NEW-YORK, Dec. 26, 1874.

THE ANNUAL MEETING OF SHAREHOLDERS of this bank for election of Directors, &c., will be held at the banking-room on MONDAY, 11th of January next, between 12 M. and 2 P. M. By order of the Board.
O. H. SCHREISER, Cashier.

GROCERS' BANK, Dec. 23, 1874.

AN ELECTION FOR DIRECTORS WILL BE HELD at the banking-house on Jan. 12, 1875, from 12 M. to 1 P. M.
B. E. WATSON, Cashier.

GAS, CITY RAILROAD, TRUST COMPANIES, BANK STOCKS.

Insurance Scrip and Stock. If you wish to buy or sell apply to SAMUEL M. SMITH, No. 71 Wall st.

MISCELLANEOUS.

PERFECTION!

BOKER'S BITTERS.

Beware of Counterfeits and Imitations.

SIR JAMES MURRAY'S ORIGINAL FLUID Magnesia, for 60 years the best preparation for Acidity, Indigestion, Heartburn, G